

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46988 of 2022

Arising Out of PS. Case No.-1108 Year-2019 Thana- GAYA COMPLAINT CASE District-
Gaya

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1. SANGEETA DEVI Wife of Ranjeet Mistri R/V- Bara, P.S- Magadh University, Dist- Gaya
 2. Ranjeet Mistri Son of Late Briksh Mistri @ Rambriksh Mistri R/V- Bara, P.S- Magadh University, Dist- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ashok Rai Son of Late Mathura Rai Resident of Amar Bigha, P.S- Bodhgaya, Dist- Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Pd. Singh, Sr.Adv. Mr.Bhaskar Shankar
For the Opposite Party/s :		Mr.Dilip Kumar No. 1 Mr.Gajendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 01-05-2023 Heard learned senior counsel for the petitioners,

learned A.P.P. for the State and learned counsel appearing on

behalf of complainant / opposite party no. 2.

The petitioners apprehend their arrest in a complaint

case punishable for the offence under Sections 420, 406 of the

Indian Penal Code and Section 138 of the Negotiable Instrument

Act.

Petitioners are wife and husband and they are alleged

to have taken Rs. 5,00,000/- from the complainant with

assurance to return the same within 2-3 years, but they did not



return the same within stipulated period, rather a cheque, which was issued by petitioner no. 1, was dishonoured.

It is submitted on behalf of petitioners that petitioners are ready to return the alleged money to the complainant. To this effect, a supplementary affidavit has been filed on behalf of petitioners and following has been stated in paragraph – 3:-

“That petitioner is ready to return the said amount i.e. Rs. 5,00,000/- in four installments of Rs. 1,25,000/- each and he is ready to give the each installment with a gap of two months.”

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of 30 (thirty) days from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Gaya in connection with Complaint Case No. 1108 of 2019, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with condition to the petitioners ***to deposit Rs. 1,25,000/- through demand draft at the time of furnishing bail-bond and rest amount of Rs. 3,75,000/- in three equal installment of Rs. 1,25,000/- each (through demand draft) shall be refunded to the complainant within one year from the***



*date of furnishing bail-bond, failing which, the Court below
would be at liberty to cancel the bail-bonds of the petitioners.*

(Prabhat Kumar Singh, J)

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