

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7058 of 2024

Arising Out of PS. Case No.-227 Year-2023 Thana- WAJIRGANJ District- Gaya

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1. Soni Devi W/o Gaya Sao R/o vill - Odiyar Khurd, P.S. - Wazirganj, Distt. - Gaya
 2. Gaya Sao Son of Late Mani Lal Sao R/o vill - Odiyar Khurd, P.S. - Wazirganj, Distt. - Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vijay Prasad S/o Sri Shivilal Yadav, R/o Odiyar Khurd, P.S. Wazirganj, District – Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr.Sharda Nand Mishra
For the State	:	Mr.Choubey Jawahar
For the O.P.2	:	Mr.Praveen Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 06-05-2024 Heard learned counsel for the parties.

2. The petitioners apprehend their arrest in a case registered for offence under Sections 406, 504, 506 of the Indian Penal Code.

3. As per prosecution case, on 10.02.2021, for construction of cow-shed, on the request of petitioners, informant provided building materials as well as labour cost to the tune of Rs. 98,368/- and when informant demanded his money, he was abused and threatened by these petitioners.

4. Learned counsel for the petitioners submits that petitioners, who are wife and husband respectively, have been



falsely implicated in this case. At no point of time, petitioners took any materials from the informant/O.P.-2. He further submits that as per F.I.R., the alleged occurrence took place on 10.02.2021, but the F.I.R. has been lodged on 25.04.2023 without any plausible explanation of delay. Petitioners bear no criminal antecedent.

5. However, learned A.P.P. for the State and learned counsel for the informant / opposite party no. 2 vehemently opposed the prayer for anticipatory bail and submitted that there is specific allegation against these petitioners that they misappropriated Rs. 98,368/- of opposite party no. 2.

6. Considering the nature of accusation, the prayer for anticipatory bail of petitioners is rejected.

(Prabhat Kumar Singh, J)

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