

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67998 of 2024

Arising Out of PS. Case No.-213 Year-2023 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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1. Sanjeet Yadav @ Sanjeet Kumar Yadav S/o- Kari Yadav @ Ram Kishun Yadav Village- Radhiyam, P. S. - Bahera, District- Darbhanga.
 2. Kari yadav @ Ram Kishun Yadav Son of Baue Lal Yadav Village- Radhiyam, P. S. - Bahera, District- Darbhanga.
 3. Dhiraj Yadav Son of Manoj Yadav Village- Kunji Koriyama Ps- Bahadurpur Dist- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mahendra Narayan Mahto Son of Late Prabhu Narayan Mahto Village- Radhiyam, P. S. - Bahera, District- Darbhanga.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate
For the Opposite Party/s : Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 03-10-2024 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Complaint Case No. 213 of 2023 for the offence under Sections 323, 341, 420, 504 and 354(B) of the I.P.C. by the complainant, Mahendra Narayan Mahto.

3. As per the complaint, the complainant alleges that his wife went to the customer service center where the petitioner no. 1, in the garb of verification of papers, took Rs. 10,000/- by withdrawal from her account. Further, when she made a complaint before the police, upon knowledge, she was abused



and the accused persons removed Rs. 5,000/- from the pocket of the complainant. Accordingly, the case.

4. Learned counsel for the petitioners submit that due to confusion, the case has been lodged, they are innocent and further, they would like to pay Rs. 15,000/- jointly to the complainant, without accepting the allegation and/or the outcome of the present petition, through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the complainant after checking the credentials.

5. Learned APP opposes the prayer.

6. Taking into account the allegation/submissions as also the fact that the petitioners are jointly paying Rs. 15,000/- to the complainant and they do not have criminal antecedent, this Court is inclined to extend them the privilege of anticipatory bail with conditions subject to payment of Rs. 15,000/- to the complainant as undertaken by the learned counsel for the petitioners to be submitted by way of Bank Draft at the time of execution of bail bond.

7. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/-



(Ten thousand) each with two sureties of like amount each to the satisfaction of learned ACJM, 1st, Benipur, Darbhanga in connection with Complaint Case No. 213 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show their bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

Adnan/-

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