

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75944 of 2024

Arising Out of PS. Case No.-121 Year-2023 Thana- SAMASTIPUR District- Samastipur

1. Sarita Devi Wife of Chandeshwar Sharma R/O- Wajitpur, Ward No-12, Police Station- Ujiarpur, District- Samastipur
2. Rekha Devi Wife of Dev Kumar Ray R/O- Adarsh Nagar, P.S- Muffasil, District- Samastipur
3. Babita Devi Wife of Dharam Nath Paswan R/O- Asal, P.S-Vaishali, District- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Rame Ranjan Raj, Branch Head, Axis Bank Ltd., Samastipur Son of Late Ram Niwash Sharma

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Shashank Shekhar
For the Opposite Party/s	:	Mr.Nirmal Kumar Sinha
For the Axis Bank	:	Mr. Dayanand Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Samastipur Town P.S. Case No. 121 of 2023 instituted under Sections 420, 467, 468, 419 and 120B of the Indian Penal Code.

3. The petitioner No. 1, Petitioner No. 2 and Petitioner No. 3 are alleged to have furnished fake gold ornaments worth Rs. 6,86,380.00, Rs. 5,54,076.00 and Rs. 5,79,124.00 respectively in the Axis Bank and obtained loan.



4. Learned counsel for the petitioners has denied the allegation and has submitted that without accepting the guilt, the petitioners are ready to pay the alleged amount i.e., Rs. 6,86,380.00, Rs. 5,54,076.00 and Rs. 5,79,124.00 to Axis Bank, Samastipur Branch for the purpose of bail.

5. In view of the fact that the petitioners are ready to pay the amount of loan to the Bank, this application is allowed.

6. Let the petitioners, above named, in the event of arrest or surrender before the Court below within six weeks from today, be released on ***provisional anticipatory bail*** upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Samastipur in connection with Samastipur Town P.S. Case No. 121 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. On the date on which the petitioners will furnish their bail bonds, they shall produce a demand draft of Rs. 1,25,000/- in the name of the Bank in question and only after furnishing the amount of Rs. 1,25,000/-, they shall be granted the ***provisional anticipatory bail*** by the Court below. Thereafter, the petitioners will pay the balance amount in three



equal installments in the next three months. This deposit is subject to the result of the case.

8. After the entire amount of Rs. 6,86,380.00, Rs. 5,54,076.00 and Rs. 5,79,124.00 are paid, the *provisional anticipatory bail* granted to the petitioners shall be confirmed by the Court below. If the petitioners fails to pay the entire amount, as stated above, the *provisional anticipatory bail* granted to the petitioners shall be cancelled by the Court below.

9. Before confirming, the bail application of the petitioners, the Court below will verify the deposits from the learned counsel appearing for the Axis Bank in the court below.

(Sandeep Kumar, J)

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