

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9244 of 2015

Arising Out of PS.Case No. -130 Year- 2008 Thana -BETTIAH TOWN District-
WESTCHAMPARAN(BETTIAH)

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1. Ruhul Amin Khan @ Roohul Amin Khan @ Samun Khan son of Haroon Khan resident of Sansariya, Police Station Muffassil, presently residing at Mohalla Mahawat Toli, Police Station Nagar Bettiah, District West Champaran.

.... Petitioner

Versus

1. The State of Bihar.
2. Sanjay Kumar son of Sri Shiv Narayan Prasad resident of Village Ghuswa Dhumnagar, Police Station Nautan, District West Champaran at Bettiah.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Khatim Reza
For the Opposite Parties : Mr. Kalyan Shankar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-03-2015

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 406, 420, 467, 468, 469, 471, 504 of the I.P.C.

It is alleged that Rs. 3,92,000/- was given to the petitioner being Punch during panchayati of the partition dispute between the father and uncle of the informant. Subsequently the panchayati could not succeed but the petitioner being Punch did not return the money.

It is submitted by learned counsel for the petitioner that co-accused Mamoon Khan @ Md. Mamoon Khan elder brother of the petitioner was granted anticipatory bail on return of cheque amount of Rs. 3,05,000/- and under the said

impression the petitioner could not prefer anticipatory bail application. Moreover the informant has retracted from the initial version and has filed a petition to that effect before learned Court below.

This Court is not inclined to interfere because the case was instituted in the year 2008 but since the cheque amount has already been returned by the co-accused, it is a case for consideration of prayer for regular bail, if the petitioner surrenders within a period of six weeks before learned Court below and pray for regular bail in connection with Bettiah Town P.S. Case No. 130 of 2008, pending in the Court of learned Chief Judicial Magistrate, West Champaran at Bettiah.

Accordingly the application is disposed off.

(Dinesh Kumar Singh, J)

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