

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9839 of 2016

Arising Out of PS.Case No. -98 Year- 2015 Thana -JANKINAGAR District- PURNIA

- =====
1. Bablu @ Md. Rizwan, Son of Zakir,
 2. Bablu @ Md. Zamil Akhtar, Son of Idrish, All residents of Village Vinowa Gram, P.S. Janki Nagar, District- Purnea.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Kumar Uday Singh
For the Opposite Party : Mr. Iftekhhar Mahmood(App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 21-04-2016 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Janki Nagar P.S. Case no. 98 of 2015 registered under Sections 406, 420 and 120(B) of the Indian Penal Code.

The accusation is that petitioners along with three others approached the informant introducing themselves as agent of Md. Fanush and allured the informant to handover money to him, which will become double within a month. At that time, informant told them that he will talk with his family member regarding the same. Later on, informant went to the house of Md. Fanush, but Md. Fanush was not available in his house and informant handed over Rs. 5,00,000/- to the co-accused Md. Sikandar for doubling the same, but after one month accused persons did not return the amount of Rs. 10,00,000/-.

Subsequently informant come to know that said Md. Fanush committed suicide.

Learned counsel for the petitioners submits that it would appear from the F.I.R. itself that the said amount of Rs. 5,00,000/- was handed over by the informant to co-accused Md. Sikandar for doubling the same and not to these petitioners. Further submission is that, in fact, petitioners and the informant are co-villagers and due to some dispute petitioners have also been implicated in this case. Further submission is that similar situated co-accused, namely, Md. Muslim, father of Md. Fanush has been granted Anticipatory bail by a co-ordinate Bench of this court on 11.12.2015 passed in Criminal Miscellaneous No. 56365 of 2015.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Purnea in connection with Janki Nagar P.S. Case No. 98 of 2015, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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