

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36618 of 2016

Arising Out of PS.Case No. -747 Year- 2014 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

- =====
1. Md. Rustam Khan, son of Sattar Kauwaal @ Muthri,
 2. Imran Khan @ Sonu, Son of Md. Rustam Khan, Both residents of Village- Hariharganj, Ward No. 11, P.O. + P.S.- Nasriganj, District- Rohtas.

.... Petitioners

Versus

1. The State of Bihar.
2. Ranjay Kumar Patel, Son of Ramashish Choudhary, resident of Village- Ghordihan, P.S- Baghaila, District- Rohtas.

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Rakesh Narayansingh, Advocate

For the Opposite Parties : Mr. Sri Rajendra Prasad Nat (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

4 14-12-2016 Heard learned counsel for the petitioners, the learned APP for the State as also the learned counsel for Opposite party no.2.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Complaint Case No. 747 of 2014 for the offence punishable under section 420 of the I.P.C.

Allegedly, the petitioners took bribe of Rs. 1,70,000/- for sanctioning the loan for fixing mineral water plant in three installments but no loan amount was sanctioned and all the papers were forged and fabricated.

Submission is of false implication and that on the basis of the complaint case cognizance has been taken, there is no



chit of paper to show that the petitioners have received any amount and the petitioners are not any Bank officials or any Government officials so for providing loan taking bribe by them appears not probable and reliable and as such the petitioners deserve sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for opposite party no.2 opposes prayer for bail by submitting that the petitioners have taken bribe amount in three installments after making signature.

In the facts and circumstances as stated above, considering that the case is hit by the principle of pari delicto and as such the petitioners, in case of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of. Judicial Magistrate 1st Class, Sasaram, Rohtas in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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