

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39707 of 2016

Arising Out of PS.Case No. -723 Year- 2012 Thana -PATNA COMPLAINT CASE District-
PATNA

=====

1. Md. Asgar Ali @ Asgar Ali Son of Late- Md. Shakur
2. Md. Aeyaz Son of Md. Yakub Ansari, Both resident of Village-
Nawadih, P.S.- Domchanch, District- Kodarma (Jharkhand).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Md. Shamsher son of Late- Nizamuddin, resident of Mohallah- Chondi,
P.S.- Barh, District- Patna.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand

For the Opposite Party/s : Mr. Sri Shyam Kumar Singh

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 19-09-2016 Heard both sides.

The petitioners apprehend their arrest in Complaint Case
No. 723(C)/2012, registered for the offences punishable under
Sections 420 and 504 of the Indian Penal Code.

The complainant alleged that the petitioners took Rs.
3,00,000/- for execution of earth work and said that they will
return the money within six months, but the petitioners did not
return the money and they prepared a deed of acceptance and
assured to return the money.

It is submitted that the petitioners never took money
from the complainant. Learned Additional Sessions Judge, Patna

rejected the prayer for anticipatory bail petition of the petitioners on the ground that only bailable warrant of arrest has been issued against the petitioners, but in fact non-bailable warrant has already been issued for the petitioners.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate Ist Class, Barh in connection with Complaint Case No. 723(C)/2012, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

Vinita/-

U		T	
---	--	---	--