

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3171 of 2016

Arising Out of PS.Case No. -82 Year- 2015 Thana -KOTWA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Chand Mohammad Ansari, S/o Late Abdullah Ansari
 2. Saddam Hussain S/o Lalbabu Ansari
 3. Lalbabu Ansari S/o Late Abdullah Ansari

All of Village Chhota Bariyarpur, PS- Chhatauni, District- East
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Ram Anurag Singh (App)

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

2 11-04-2016 Heard learned counsel for the petitioners and
learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in
connection with Kotwa (Bhopatpur) P.S. Case No. 82 of 2015
registered for the offences punishable under Sections 327, 387,
406, 420 and 120B/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the
allegation against these petitioners is that they induced the
informant to pay and part with money to the tune of Rs.



4,80,300/- on the pretext of securing job of his sons. However, when the informant's sons did not get employment as promised, he started to press for return of the amount. It is further submitted that the amount was given to the Lalbabu Ansari, who had made entries in a diary maintained by the informant. Learned counsel for the petitioners further submits that the entire allegation is false and fictitious and no such transaction ever took place between the parties, if, at all, there is any allegation, it is against the co-accused Hasim Mian and not petitioner Nos. 1 to 3. It is also submitted on behalf of the petitioners that one Md. Husain has also filed a similar case against the informant making allegations towards the performance of a legal contract which is not tenable in law.

Considering the peculiar nature of the allegations made by the parties that there is no cogent material to show that actually money had been exchanged, save and except, some random entries made in a diary, let the petitioners, in the event of their arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the each amount to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at

Motihari in connection with Kotwa (Bhopatpur) P.S. Case No.
82 of 2015, subject to the conditions as laid down under Section
438 (2) of the Cr.P.C.

(Anjana Mishra, J)

ajaypd./-

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