

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25791 of 2016

Arising Out of PS. Case No. -2452 Year- 2014 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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Md. Ishaque, S/o Late Sitan Ali, resident of village- Barhiya, P.S. Jalalgarh,
District - Purnea

.... Petitioner.

Versus

1. The State of Bihar
2. Md. Manjoor Alam , S/o Moin Uddin, resident of village - Kayami, P.S.
Kasba, District - Purnea

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate

For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav, Advocate

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP
SINGH**

ORAL ORDER

2 15-07-2016

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in a case under

Sections 323, 506, 406 and 420 of the Indian Penal Code.

The petitioner and the complainant are co-brothers
(Sarhu). Their wives do not have any brother. The mother-in-law
had executed sale deed in favour of both her sons-in-law, who are
the complainant and the petitioner.

As per the complainant, namely, Md. Manjoor Alam,
Md. Ishaque (petitioner) has cheated Rs.1,50,000/- for purchase of
a Tempo from him.

The petitioner denies the same fact and submits that
the signature on the agreement is manufactured.

Having regard to the facts and circumstances of the case, in the event of arrest or surrender before the court below within four weeks from today, the abovenamed petitioner be released on bail on furnishing bail bond of Rs.5000/- (Five thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Purnea in connection with Complaint Case no. 2452 of 2014 subject to the conditions as laid down under Section 438 (2) Cr.P.C. with the following terms:

(i) The petitioner would deposit a sum of Rs.35,000/- in the court below in two installments. The first installment of Rs.20,000/- would be deposited within four weeks from today. The second installment of Rs.15,000/- would be deposited within a further period of three weeks, which would be subject to the result of the case. Failure to deposit the installment would lead to automatic cancellation of his bail bonds.

(ii) The petitioner would not physically absent for two consecutive dates at stretch, till charges are framed in the case.

(Samarendra Pratap Singh, J.)

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