

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5465 of 2016

Arising Out of PS.Case No. -179 Year- 2015 Thana -MAJHAHGARH District- GOPALGANJ

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Sarfaraz Ahmad Son of Abdul Khalif, Resident of Village - Indrawa Sakir,
P.S. - Gopalganj, District - Gopalganj.

.... Petitioner

Versus

1. The State of Bihar
2. Julekha Pravej Sidique, W/O Pravej Alam Sidique, Resident of Village
– Pratappur, P.S. – Manjhagarh, District – Gopalganj.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Mukesh Kumar Singh, Advocate.

For the Opposite Parties : Ms. Anita Kumari Singh(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 26-10-2016 Heard both sides.

The petitioner apprehends his arrest in Manjhagarh P.S.
Case No. 179 of 2015 registered for the offences punishable under
Sections 420, 406, 467, 468, 471 and 120(B) of the Indian Penal
Code.

The informant earlier filed complaint case no. 1890 of
2015 on the basis of which the present FIR was registered. The
informant named seven persons in the accused column and alleged
that the petitioner who is accused no. 7 in the complaint petition
came along with accused nos. 2, 6 and 7 and requested her to
purchase a piece of land situated in Delhi. The accused no. 1
happens to be maternal brother (Mosera Bhai) of the informant

and thereafter the complainant and her brother-in-law went along with accused nos. 1, 2 and 6 to Delhi. There was negotiation and the complainant gave money to accused no. 1 who happens to be her maternal brother (Mosera Bhai).

Learned counsel for the petitioner submits that the petitioner did not participate in any negotiation, nor went to Delhi. The petitioner did not receive any money. The complainant made allegation against her maternal brother (Mosera Bhai) accused no. 1 and others and did not make any specific allegation against the petitioner, save and except the first instance that the petitioner also went to her house to request her to purchase a piece of land.

On the other hand learned counsel for the informant as well as learned APP vehemently opposed the prayer for anticipatory bail of the petitioner.

Considering the facts aforesaid and the fact that the petitioner, of course, requested to the complainant/informant to purchase a piece of land but the petitioner did not participate in any process nor went to Delhi, nor received any money, the petitioner above named in the event of his 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, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten

Thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class, Gopalganj in Manjhagarh P.S. Case No. 179 of 2015, Subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J.)

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