

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22753 of 2017

Arising Out of PS.Case No. -659 Year- 2016 Thana -PHULWARI District- PATNA

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SYED MD. NAJMI @ SYED N. NAJMI, Son of Late Md. Khalil.
Resident of Mohallah Dahiyawan, Nagina Singh Gali, P.S.- Chapra Town,
District- Saran at Chapra (Bihar).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar

For the Opposite Party/s : Mr. Anil Kumar

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 07-07-2017 Heard the learned counsel for the petitioner as well as
the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Phulwarisharif P.S. Case No. 659 of 2016 for the offences punishable under sections 406 and 420 of the I.P.C.

Allegedly, the petitioner took Rs. 5,00,000/- from the informant part-wise and when the informant demanded money he told to give flat either in Patna or in Chapra, but neither the flat was given nor the amount was returned. Ultimately, the petitioner gave a cheque of Rs. 5,00,000/- which was bounced and the petitioner started causing threats.

Submission is of false implication and that the petitioner has filed Complaint Case No. 2510 of 2016 on



26.08.2016 itself against the informant of this case which was sent for registering the case and investigation and the informant after getting knowledge of that case lodged this case on 31.10.2016 with false allegations, the police also enquired into the matter and found the allegation of the informant false and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. fairly submits that the complaint case filed by the petitioner is much earlier, further the police during enquiry has found allegation of the informant false vide report dated 03.02.2017.

In the facts and circumstances as stated above, the petitioner, in case of his 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 bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. J.M. 1st Class, Patna 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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