

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38051 of 2017

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Anwar Hussain

.... Petitioner/s

Versus

The State Of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Radha Mohan Singh, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, A.P.P.- 21

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 16-08-2017 Heard learned counsel for the petitioner, learned counsel
for the informant and learned counsel for the State.

The petitioner is apprehending his arrest in Madhuban
P.S.Case No. 77 of 2016 registered for offences punishable under
Sections 420 and 406 of the Indian Penal Code.

The prosecution case as per written report is that he had
given Rs. 40,000/- and Rs. 75,000/- to this petitioner for
appointment of his wife on the post of Aasha but neither the
appointment was made nor the money was returned and on
demand of money, he was abused and pushed out.

Learned counsel for the petitioner submits that the
allegation of cheating and committing breach of trust is vague and
no offence is made out.

Learned Additional Public Prosecutor opposes the
prayer for bail.



On perusal of F.I.R. I find that the informant has not produced any paper to support the allegation of payment for getting the appointment. The allegation appears to be vague.

Having regard the facts and circumstances of the case, the prayer for Anticipatory bail of the petitioner, Anwar Hussain is allowed and he in the event of arrest or surrender before the Court below within a period of six weeks, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each in connection with Madhuban P. S. Case No. 77 of 2016 to the satisfaction of learned Additional Chief Judicial Magistrate, - IV, East Champaran, Motihari.

(Sanjay Kumar, J)

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