

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20160 of 2017

Arising Out of PS.Case No. -1539 Year- 2016 Thana -SIWAN COMPLAINT CASE District-
SIWAN

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1. Barkat Ali @ Barkat, S/o Late Sattar,
2. Jabbar, S/o Late Mansoor, Both resident of Village- Bathuwabazar, P.S.-
Phulwaria, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Mehroon Nisha, W/o Md. Munna, R/o Naya Bazar in front of Sadar
Hospital Siwan, P.S. Siwan Town, District: Siwan.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey, Advocate.
For the Opposite Party/s : Mr. Smt. Pushpa Sinha, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

3 28-07-2017 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Complaint Case No. 1539 of 2016 (Trial No. 1224 of 2017)
registered under Section 420/34 of the Indian Penal Code.

The allegation of complainant-opposite party no. 2 is
that due to poverty she decided to send his younger son, Aftab
Mohammad to Arab country for earning. In the meantime,
petitioners, who are in her relation, asked Rs.85,000/- for sending
to Abtab Mohammad in Arab country for doing the job of plumber
on payment of Rs.35,000/-. Thereafter, informant handed over



Rs.85,000/- to the petitioners and also gave Rs.9,000/- for medical expenses. While her son was sent to Arab country and he was engaged in the work of labourer for four months but salary was not paid to him. Ultimately, her son returned to India.

Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case due to ulterior motive. Further submission is that petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-II, Siwan, in connection with Complaint Case No. 1539 of 2016 (Trial No. 1224 of 2017), subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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