

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21615 of 2017

Arising Out of PS.Case No. -308 Year- 2009 Thana -SIWAN COMPLAINT CASE District- SIWAN
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1. Aataullah Ansari, Son of Late Abdul Rahman, Resident of Village- Jama Hatta, P.S.- Hussainganj, District- Siwan, the then Chairman, Handloom Polyester, Cotton Production Primary Bunker Sahyog Samiti, P.S.- Hussainganj, Distt- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Gulam Sarwar, Son of Md. Yahiya, Resident of Village Jamal Hatta, P.S.- Hussainganj, District- Siwan.

.... Opposite Party/s
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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey

For the Opposite Party/s : Mr. Sri Ram Anurag Singh
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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 10-05-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Complaint Case No. 308 of 2009 instituted for the offence under Sections-420, 465, 471 of the Indian Penal Code.

As per allegation in the complaint, an amount of Rs. 12,70,000/- was withdrawn by this petitioner who was the Chairman of Handloom, Polyester, Cotton Production Primary Bunkar Sahyog Samiti in Hussainganj and in the name of Yahiya Ansari, Md. Illiyas, son of Md. Yahiya, Sayeed Akhtar son of Md. Yahiya and in the name of his own wife, sister and son but he never provided a single pai to Md. Yahiya, Md. Illiyas and Sayeed



Akhtar till filing of the complaint, although they have to pay the amount to the Government. It has also been alleged that all the sale and purchase have been made in the name of forged form and telephone numbers as M/S Textile Industries Manufacture Power loom Industry Ahmedabad.

Learned counsel for the petitioner has submitted that during inquiry u/S 202 of the Cr.P.C. none of the persons has stated the name of person whose money is alleged to have been embezzled by the petitioner. It is also submitted that the complainant has compromised the case which is evident from the order of learned Sessions Judge.

In such circumstances, the prayer for bail is allowed and the petitioner named above, are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Complaint Case No. 308 of 2009 to the satisfaction of learned Additional Chief Judicial Magistrate-XII, Siwan subject to condition that both the bailors should be close relatives of the petitioner.

(Sanjay Priya, J)

A.K.V./-

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