

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17036 of 2017

Arising Out of PS. Case No.-1273 Year-2015 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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Md. Sohail Alam, S/o Late Md. Moyeen, Resident of Kawa, P.S.- Baligaon,
District- Vaishali.

... .. Petitioner/s

Versus

1.The State of Bihar.
2.Md. Imteyaz @ Kallu s/o late Md. Isa, Village-Dariyapur Kafan, P.S.
Kurhani Turki District Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Syed MD.Iqbal Hasan Rahmani
For the O.P. No. 2	:	Mr. Mahendra Thakur, Adv and Mr. Vijay Kumar, Adv

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

10 21-02-2018 Heard learned counsel for the petitioner, learned
counsel for the informant and learned counsel for the State.

The petitioner apprehends his arrest in connection with
Complaint Case No. 1273 of 2015(Tr. No. 513 of 2015)
registered for the offence punishable under Sections 420, 406,
506 and 120B/34 of the Indian Penal Code.

Allegation against the petitioner is of cheating.

It has been submitted on behalf of the petitioner that
the complainant is the Brother-in-Law of the petitioner who had
taken loan from the petitioner and when the petitioner
demanded loan amount from the complainant, he has been
falsely implicated in this case. It has been further submitted that



this is purely a civil dispute and no criminal case is made out against the petitioner. Petitioner has got no criminal antecedent.

Learned counsel for the informant vehemently opposes the prayer for bail of the petitioner. It has been further been submitted by him that similarly placed accused Md. Naseem's anticipatory bail petition being Criminal Miscellaneous No. 26456 of 2017 was withdrawn on 04.10.2017, as such this petition should also be dismissed.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, East Muzaffarpur in connection with Complaint Case No. 1273 of 2015, and subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(S. Kumar, J)

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