

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.61046 of 2017

Arising Out of PS.Case No. -876 Year- 2016 Thana -MADHUBANI COMPLAINT CASE District-
MADHUBANI

- =====
1. Abdul Kaiyum Barkati, S/o Md. Kashim Barkati, R/o village-Harne, P.S. Harlakhi, District-Madhubani
 2. Md. Kalim, S/o Md. Rehman @ Nathuni, R/o village-Jai Nagar, Id Gah Tola, P.S. Jai Nagar, District-Madhubani

.... Petitioner/s

Versus

1. The State of Bihar
2. Md. Naim, /o Md. Liyaqat, R/o village-Jai Nagar, Id Gah, P.S. Jai Nagar, District-Madhubani

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Laxmi Narayan Das

For the Opposite Party/s : Mr. Ramchandra Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 22-03-2018 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with C.R. Case No. 876 of 2016 (Trial No. 2699 of 2017), registered under Section 420 of the Indian Penal Code.

The allegation is regarding the accused persons having taken a sum of Rs. 70,000/- from the complainant for the purposes of preparing VISA and passport, however, subsequently neither the money was returned nor the VISA or passport were facilitated.

The learned counsel for the petitioners submits that there is nothing on record to show that any cheque was issued by the petitioners.



Per contra, the learned counsel for the complainant has submitted that the petitioners herein have committed a fraud with the complainant of the present case. However, he has failed to produce any cheque issued by the petitioners herein.

Having regard to the facts and circumstances of the case, I deem it fit and proper to admit the petitioners herein to the privilege of anticipatory bail in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Madhubani in connection with C.R. Case No. 876 of 2016 (Trial No. 2699 of 2017) subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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