

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.72091 of 2018**

Arising Out of PS. Case No.-718 Year-2017 Thana- GOPALGANJ COMPLAINT CASE  
District- Gopalganj

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1. Guddu , S/o Ali Ashgar
  2. Ali Ashagar, S/o Jahur
  3. Amirzad, S/o Mainuddin

All residents of village – Basantpur Saraiya, P.S. - Basantpur, District – Siwan

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Akbar Ali, son of Raja Hussain, a resident of village – Surwaniya, P.S. - Majhagarh, District – Gopalganj

... .. Opposite Party/s

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**Appearance :**

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| For the Petitioner/s :     | Sri Harish Kumar           |
| For the Opposite Party/s : | Sri Ram Naresh Ray, A.P.P. |

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**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**  
**ORAL ORDER**

2      04-12-2018                      Heard Sri Harish Kumar, learned counsel for the petitioners and Sri Ram Naresh Rai, learned Additional Public Prosecutor.

Three petitioners, apprehending their arrest in connection with Complaint Case No. 718 of 2017 , registered for the offence under Section 406/420 of the Indian Penal Code , 1860 have prayed for grant of bail in the event of their arrest or surrender.

It was submitted by learned counsel for the petitioners that complainant has mainly raised allegation against accused no. 1 - Zafruddin who is non else but own brother of petitioner no. 2 and cousin of petitioner no. 1 and 3 that he had taken Rs. 90,000/- for sending the complainant abroad for providing him employment. It has been argued that petitioners have been arrayed as accused since they are family members of the main accused otherwise also the accusation against the main accused



according to learned counsel for the petitioners appears to be not tenable.

Be that as it may, considering the nature of accusation as well as the fact that whatever accusation has been made has mainly been made against accused no. 1 of the complaint case, there is no reason to refuse the prayer for grant of anticipatory bail.

Accordingly, in the event of their arrest or surrender within a period of six weeks from today, let aforesaid three petitioners: (1) Guddu, (2) Ali Ashagar & (3) Amirzad be enlarged on bail 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 Chief Judicial Magistrate, Gopalganj / concerned court in connection with Complaint Case No. 718 of 2017 subject to the conditions as contemplated under Section 438 (2) of the Code of Criminal Procedure, 1973.

**(Rakesh Kumar, J)**

praful/-

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