

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17400 of 2018

Arising Out of PS.Case No. -183 Year- 2013 Thana -ASHOK PAPER MILL District-
DARBHANGA

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Javed Akhtar, Son of Md. Owaid, Prop. M/s Taiseer Interprises, 48 Bharat Nagar, Lower Ground Floor, J.K. Business Complex, New Friends Colony, P.S.- New Friends Colony, New Delhi- 110025, Resident of Village- Sidhauri, Police Station- Ashok Paper Mills, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Pravesh Nath Tiwari

For the Opposite Party/s : Md. Arif

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 12-04-2018 Heard the learned counsel for the petitioner as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Ashok Paper Mills P.S. Case No. 183 of 2013/ Trial No. 276 of 2017 for the offences punishable under sections 406 and 420 of the I.P.C.

Allegedly, the petitioner realized Rs. 1,00,000/- from the complainant/informant for getting employment in Saudi Arabia on the monthly salary of Rs. 20,000/- but in the Saudi Arabia the informant was offered payment of Rs. 5,000/- per month by the employer and when the informant denied to accept



that offer he was compelled to deposit Rs. 2,00,000/- to his employer. The informant some how deposited Rs. 2,00,000/- and returned back to India and then he demanded money from the petitioner then the petitioner denied to get back.

Submission is of false implication and that this case has been filed after eleven months, from the document attached with the complaint petition it reveals that the informant went to Saudi Arabia through Yamama Travels agency which in no way reflects that the informant went abroad through the traveling agency of the petitioner, there is no proof with regard to the alleged payment, petitioner's cousin is married to one Md. Sabir and when the relationship became tense then the petitioner's cousin lodged cases against Md. Sabir in which the informant was also made accused, the informant is nephew of Md. Sabir and then lodged this false case, the petitioner deserves sympathetic consideration as there is no chance of his absconding or tampering with the prosecution evidence.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner.

In the facts and circumstances stated above, noticing that the informant became himself a party of illegal act allegedly by paying Rs. 1,00,000/- for getting the employment and



as such the petitioner, in case of his arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M, Darbhanga in connection with the aforementioned case, subject to the condition as laid down under section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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