

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11330 of 2018

Arising Out of PS. Case No.-96 Year-2017 Thana- PARIHAR District- Sitamarhi

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1. Md. Shajahan Sheikh @ Md. Shahjahan Sheikh @ Md. Shahjahan, S/o Sheikh Badrul Rehman
 2. Faisal Sheikh @ Md. Faisal Sheikh @ Shah Faisal, S/o Sheikh Badrul Rehman R/o Village-Baya, P.S.-Bela, District-Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Jha

For the Opposite Party/s : Mr. Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 03-04-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Parihar P.S. Case No. 96 of 2017 instituted for the offence under Sections 420,406,120(B) of the IPC.

In the written report, it is alleged that the informant approached these petitioners for getting employment in foreign country. The petitioners assured the informant to get him job in foreign country and on dates as mentioned in the written report in detail the informant paid money. But informant did not get any employment.

As mentioned in paragraph 8 of the bail petition, petitioner no. 1 is doing work in Galaxy Enterprises Agency, which is



doing business of recruitment for deployment of Indian workers with foreign employers. The informant approached the petitioner no. 1 to send him to Dubai for employment and deposited total amount of Rs. 70,000/- in installment and kept an amount of Rs. 30,000/- due for employment visa. The petitioner sent the informant to Dubai through Galaxy Enterprises Agency on 29.07.2015, but the informant himself returned back. In support of which, photo copy of certificate, registration of Galaxy Enterprises Agency, Medical Fitness, visa and ticket of the informant are being annexed as Annexure-2 series to this petition.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners, named above, in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Parihar P.S. Case No. 96 of 2017 to the satisfaction of the learned Additional Chief Judicial Magistrate-VI, Sitamarhi, subject to condition as laid down u/S 438 (2) of the Cr. P.C. with further conditions (1) (bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every



dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioners and (3) if the petitioners tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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