

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6195 of 2018

Arising Out of PS.Case No. -643 Year- 2016 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Roksa Parveen, Wife of M. Akbar,
2. Sama Parveen, Wife of Sarwar Alam,
3. Shubi Parveen, Wief of Md. Asgar,
4. Md. Raju, Son of Ali Imam, All residents of 38 Ward No.25, Wanouliya
Near Murtuza Aran Ke Maszid Bihar Sharif, Police Station- Bihar Sharif,
District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sannu, Son of Md. Mokarim @ Lal Babu, Resident of Kutubdin Lane
Dariyapur, Police Station- Purbahore, District- Patna, Proprietor of Sannu
Enterprises Kutubdin Lane, Dariyapur, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar
For the Opposite Party/s : Mr. Md. Ashlam Ansari

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 12-02-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioner seeks anticipatory bail in Complaint Case
No.643© of 2016 instituted for the offences under Sections
420/34 of the Indian Penal Code and Section 138 of the
Negotiable Instrument Act.

It has been alleged that petitioners including accused
no.1 have taken money from the complainant in different
valuation and altogether Rs. 7 lacs have been taken and
promised to return the same. Accused no.1, namely, Md.



Akbar gave two cheques but the same were dishonoured due to insufficient fund.

This Court has asked the petitioners as to whether they are ready to return the amount, learned counsel for the petitioners has stated that as and when the money will be available they will return the same, cannot be proper answer to the query made by this Court.

In such circumstances this Court does exercise its jurisdiction.

In such view of the matter, this Court is not inclined to enlarge the petitioners on anticipatory bail. Accordingly the prayer for bail is rejected. However, if the petitioners surrender before the court below within a period of three weeks, the court below will pass an order on its own merit without being prejudiced by the order passed by this Court.

(Shivaji Pandey, J)

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