

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46144 of 2018

Arising Out of PS.Case No. -83 Year- 2018 Thana -AURANGABAD TOWN District-
AURANGABAD

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Md. Iqbal Ansari, S/o Md. Saiyed Ansari, R/o Mohalla- Ansarbagh Paithan
Toli, Ward No. 10, P.S.- Town Aurangabad, District- Aurangabad (Bihar).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamendra Pd. Singh, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 16-08-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Town P.S.**

Case No.83 of 2018 instituted for the offence under Sections 420,
406, 506, 323, 504 and 379 of the Indian Penal Code.

Counsel for the petitioner has submitted that petitioner has filed Complaint Case No. 221 of 2018 before the Court of learned Chief Judicial Magistrate, Aurangabad, against the informant and others. The petitioner has also filed petition for payment of dues salary before the Labour Commissioner, Aurangabad, on 21.3.2018, which has been enclosed as Annexure-4. The petitioner and his son were working as labourers in the shop of the informant. The informant has alleged that he has paid Rs.4,37,000/- to the petitioner and he gave receipt of the aforesaid



amount with promise to return the same within six months but he did not return money.

This Court finds that there is no supporting document to show that amount of Rs.4,37,000/- was paid to the petitioner by the informant. The receipt which is alleged to have been given by the petitioner to the informant (Annexure-2) is challenged by the petitioner which is not in his own writing, but the same is self created document by the informant. The civil remedy is available to the informant to redress his grievance.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Town P.S. Case No.83 of 2018**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned **Additional Chief Judicial Magistrate, Aurangabad**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates



without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner 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 petitioner.

S.Ali/-
Rohit Kr.

(Sanjay Priya, J)

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