

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18840 of 2018

Arising Out of PS.Case No. -547 Year- 2016 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

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1. Jamid Husain,
2. Hamid Raja Both Sons of Rahmat Husain, Both are R/o Village-
Khodanagar, P.S.- Chhatauni, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sipahi Prasad S/o Ram Singaar Bhagat, R/o Village- Machargawa, P.S.-
Kotwa, Distt.- East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Tondon

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

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 10-04-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek anticipatory bail in a case instituted
for the offences under Sections 406, 420, 120B & 504/34 of the
Indian Penal Code.

It has been alleged in the complaint petition that the
complainant has approached the petitioners to purchase a
Tempoo and in pursuance thereof they have paid the
installments of Rs. 1,08,000/-. Claim has been made that neither
the Tempo has been delivered nor the money has been paid.

Learned counsel for the petitioners submits that



petitioners have offered the delivery of Tempoo but complainant refused to take the delivery and took the money which has been paid to them. He has further submitted that they have obtained receipt that bears the signature of Sipahi Singh and it has been witnessed by Santosh Kumar and Manish Kumar.

Looking to the facts and circumstances of the case, in the event of arrest or surrender within four weeks from today, let petitioners, namely, Jamid Hussain and Hamid Raja, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Motihari, East Champaran in connection with Complaint Case No. 547 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Vinay/-

(Shivaji Pandey, J)

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