

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57920 of 2017

Arising Out of PS.Case No. -336 Year- 2017 Thana -CHAPRA TOWN District- SARAN

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1. Abid Hussain son of Abrar Ahmad
2. Shabana Khatoon @ Shabna Khatoon, wife of Abid Hussain, Both are
Resident of Mohalla- Badruddin Hata (Village- Maihadipur), P.S. Siwan
Muffasil, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surinder Kumar

For the Opposite Party/s : Mr. Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 18-01-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Chapra Town P.S.
Case No. 336 of 2017 instituted for the offence under Sections
406,420,120B,506 of the IPC.

Learned counsel for the petitioners has submitted that
as a matter of fact it was the informant and her brother who had
misled the people, collected the amount and misappropriated the
money for their own and personal gain and when petitioner no. 1
came to know about the mischief he pressurized them to return the
money to the candidates, thereafter, the instant FIR has been
lodged against these petitioners.

Counsel for the petitioners further submitted that there



was no such transaction made in his account during the period as alleged in the written report. He has enclosed the entire statement of account of petitioner no. 1 as Annexure 4 to this petition.

The informant has alleged that this petitioner is running NGO under the scheme of Kaushal Vikas Yojana (Skill Development Programme) of the Govt. of India. They have appointed the informant and her brother on fixed salary per month as mentioned in the written report and altogether 41 centres were opened by her brother and money was collected from the students as mentioned in detail in the written report and those money were deposited in the account of petitioner no. 1.

But Annexure-4 of this petition does not substantiate such allegation made in the written report.

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 Chapra Town P.S. Case No. 336 of 2017 to the satisfaction of learned C.J.M., Saran 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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