

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21298 of 2018

Arising Out of PS.Case No. -3149 Year- 2011 Thana -COMPLAINT CASE District- ARRARIA

=====

Kazim Ashraf, S/o Harun Rashid, Resident of Village- Para Shaikhpura
Beldar Tola, P.S.- Mahalgaon, District- Araria.

.... Petitioner

Versus

1. The State of Bihar.
2. Dhananjay Kumar, S/o Raghunandan Prasad Biswas, Resident of
Village- Bhaptiya, P.S.- Skikty, District- Araria.

.... Opposite Parties

=====

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha

For the Opposite Party/s : Mr. Asharaf Ansari

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 06-07-2018 Heard learned counsel for the petitioner.

Petitioner apprehends his arrest in connection with
Complaint Case No. 3149C of 2011 lodged for the offences
punishable under Sections 406 and 420 of the Indian Penal Code.

As per FIR allegation against the petitioner is that he has
taken Rs.60,000/- from the complainant for installation of mobile
tower with an assurance to provide job. However, neither tower
was installed nor job was provided to complainant nor amount was
returned.

In this case, notice was issued to the complainant but
after service of notice he has not appeared.

Submission of learned counsel for the petitioner is that



there is no chit of paper to show that he has received the said amount from the complainant and the dispute is of civil nature.

Heard learned APP also.

Having heard both sides and in the facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Araria, in connection with Complaint Case No. 3149C of 2011, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further condition is that one of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of court concerned.

(Vinod Kumar Sinha, J)

spal/-

U			
---	--	--	--

