

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46288 of 2018

Arising Out of PS.Case No. -2717 Year- 2017 Thana -COMPLAINT CASE District- ARRARIA

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1. AFAQUE ALAM @ AFSAR @ MD AFAQUE ALAM Son of Md. Kausar Alam Resident of Azad Nagar, Ward No. 19, P.S. Araria, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sanjeet Kumar Son of late Jagdish Prasad Verma Resident of Chitragupt Nagar, Ward No. 21, P.S. Raniganj, District- Araria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Ravish, Advocate
: Mr. Kashyap Kaushal, Advocate
: Mr. Sanjay Kumar Sharma, advocate
For the Opposite Party/s : Mr. Sanjay Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 09-08-2018 Heard the parties.

The petitioner seeks anticipatory bail in connection with Complaint Case No.2717 (C) of 2017, registered for offences punishable under Sections 406, 420, 467 and 120-B/34 of the Indian Penal Code.

As per F.I.R., allegation against the petitioner is that the Complainant had given Rs. 2.13 lacs loan to the petitioner and when the complainant/informant demanded his money several times but the accused person did not pay the same and assaulted the complainant/informant and Rs. 5000/- and mobile were also snatched by the petitioner.



Submission of the learned counsel for the petitioner is that the petitioner has been falsely implicated in this case and there is general and omnibus allegation against the petitioner. It is also submitted that the transaction of money has been given by the complainant and there is no role of the petitioner in any type of transaction and inordinate delay of 45 days in filing of the compliant petition without any plausible explanation for the same and the petitioner has clean antecedent.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as discussed above, let the petitioner, above named on surrender or arrest within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria, in connection with Complaint Case No.2717 (C) of 2017, subject to the conditions as laid down under Section 438 (2) of Cr.P.C. with condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.

(Vinod Kumar Sinha, J)

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