

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.8735 of 2019**

Arising Out of PS. Case No.-119 Year-2017 Thana- RAUTA District- Purnia

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FAROOQUE Son of Maisur Rahman @ Masiur Rahman Resident of Village-  
Mainapur, P.S.- Balia Beloun, Dist. Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                      |   |                      |
|----------------------|---|----------------------|
| For the Petitioner/s | : | Mr.Najeeb Ahmad, Adv |
| For the Informant    | : | Mr. Bipin Kumar, Adv |
| For the State        | : | Mr.Anant Kumar 1,APP |

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**  
**ORAL ORDER**

2      15-02-2019                      Heard learned counsel for the petitioner and learned APP for  
the State.

2. The petitioner apprehends his arrest for the offences alleged  
under Sections 406, 420, 504, 506, 120B IPC registered in connection  
with Rauta P.S. Case No. 119 of 2017.

3. It is submitted that the petitioner has been falsely implicated  
merely because he happens to be brother-in-law of accused no. 1  
namely, Ashraf Nawaz in whose account an amount of Rs. 3,60,100/-  
has been deposited, apart from Rs. 54,000/- in accounts of other  
accused, thereby aggregating to Rs. 4,14,100/-. It is stated that no  
deposit whatsoever has been made in the account of the petitioner and  
further that the total amount of Rs 6,71,650/- said to have been  
deposited by the informant is incorrect. In any event, the petitioner  
expresses his willingness to deposit the said amount of Rs. 4,14,100/-  
in the learned Court below.



4. Learned APP assisted by learned counsel for the informant appears and submits that other co-accused Munny @ Nuzhat Bano, Nadim @ Ashraf Nadeem and Adil @ Ashraf Adil have been denied the privilege of anticipatory bail by this Court in Cr. Misc. No.33546 of 2018.

5. In the meantime, in the event of petitioner's arrest or surrender within four weeks hereof let the above named petitioner be released on provisional anticipatory bail on furnishing bail bond of Rs.10,000/- [ten thousand] with two sureties of like amount each to the satisfaction of learned ACJM II, Purnea in connection with Rouda P.S. Case No. 119 of 2017 subject to the conditions as laid down under Section 438(2) Cr.P.C. and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond



shall be liable to be cancelled by the learned Court concerned.

(v) The provisional anticipatory bail shall stand confirmed upon the petitioner depositing an amount of Rs. 2,07,050/- in the learned Court below at the time of surrender and furnishing bail bond and the remaining amount of Rs. 2,07,050/- in six monthly equated instalments within the next six months.

**(Vikash Jain, J)**

Chandran/-

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