

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10970 of 2019

Arising Out of PS. Case No.-1540 Year-2017 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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1. AFTAB ALAM Son of Md. Mannan R/o village/Mohalla- Fashion Era Main Road, P.S- Motihari Town, Distt. - East Champaran
 2. Md. Alamgir @ Bablu Alam Son of Md. Mannan R/o village/Mohalla- Fashion Era Main Road, P.S- Motihari Town, Distt. - East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ahrar Haider Khan Son of Late Fajilat Hussain Khan R/o village- chakwa, P.S- Bairganiya, District- Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Tondon
For the Opposite Party/s : Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 15-05-2019 Heard.

The petitioners apprehend their arrest in connection with Complaint Case No.C/1540/2017 registered under Sections 406 and 420 of the Indian Penal Code besides Section 138 of the N.I. Act.

The accusation is that the petitioners along with his brother Md. Perwez Alam approached the opposite party no.2 to give Rs.15,00,000/- for investment in the business. On much persuasion, the opposite party no.2 handed over Rs.12,50,000/- to Md. Perwez Alam on his assurance to return the same. Thereafter, on repeated requests, Md. Perwez Alam, the brother of the petitioners, handed over two cheques, one of Rs.5,00,000/- and another of Rs.7,50,000/-,



to the opposite party no.2. When the opposite party no.2 deposited both the cheques in the bank, the same were dishonoured.

Learned counsel for the petitioners submits that it would appear from the F.I.R. that the petitioners are the brothers of Md. Perwez Alam, to whom the money was paid by the O.P. No.2. The petitioners have falsely been implicated in this case being the brothers of Md. Perwez Alam. The petitioners have no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri K.D. Raja Ji, Additional Chief Judicial Magistrate-IV, Sitamarhi, in connection with Complaint Case No.C-1540/2017, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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