

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18819 of 2019

Arising Out of PS. Case No.-952 Year-2009 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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SERAJUDDIN Son of Mola Mian @ Bhola Mian Resident of Village -
Chatur Bagaha, P.S.- Kuchaikote, District - Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Habibullah Son of Late Md. Hadis Mian Resident of Village - Dhodwaliya,
P.S.- Kuchaikote, District - Gopalganj.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh

For the Opposite Party/s : Mr.Abhay Kumar Roy

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 07-05-2019 This application, for grant of anticipatory bail, arises

out of Complaint Case No. 952 of 2009, disclosing offences

under Sections 420 and 406 of the Indian Penal Code.

Allegation against the petitioner and others is of
taking money from the complainant in the name of sending his
son to abroad and the accused persons provided them VISA,
which was found forged.

Submission of learned counsel for the petitioner is
that he has been made accused in this case only because he
happens to be the brother of one Ish Mohammad and main
allegation is against co-accused Vinod Chaurasia, on whose
account money was transferred.



Learned counsel for the State opposed the prayer for bail and submitted that the case is of the year 2009 and petitioner is named in the complaint petition and the summon were issued quite earlier and after ten years, he has moved for grant of anticipatory bail.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner should surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the basis of materials available on record, if possible on same day, without being prejudiced by this order.

This application is, accordingly, dismissed

(Vinod Kumar Sinha, J)

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