

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24561 of 2019

Arising Out of PS. Case No.-550 Year-2018 Thana- SIWAN CITY District- Siwan

Nehal Ahmad Khan @ Nehal Khan, aged about 35 years, Male, Son of Mumtaz Ahmad Khan, Resident of Village Antarsua, P.S. Mufasil, District Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rubi Khatoon, aged about 25 years, Female, Wife of Md. Alam, Resident of Millat Calony, P.S.- Sarai O.P., District- Siwan

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Chandra
For the Opposite Party/s : Mr.Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 16-04-2019 Heard both sides.

Petitioner apprehends his arrest in Siwan Town (Sarai)

P.S. Case No.550 of 2018, registered under Sections 406, 420, 120(B), 506, 504 and 34 of the Indian Penal Code.

The informant in sum and substance alleged that Shahwaz Khan became well acquainted with the family of the informant and on the pretext of construction of home and others got Rs.50 lacs from the mother, father and brother of the informant either through cheque or by selling lands. It is further alleged that Shahwaz Khan, his mother, brothers and maternal uncles Nehal Khan and Rizwan Khan also cheated the informant and her family members.

Learned counsel for the petitioner submits that



petitioner Nehal Ahmad Khan is maternal uncle of Shahwaz Khan. There is no allegation against Nehal Ahmad Khan, the petitioner, in the entire written application of the informant. Petitioner never received any money through any cheque from the informant or from her any family member.

On perusal of the FIR, it appears that of course the name of the petitioner figures in the FIR as one of the maternal uncles of Shahwaz Khan but the petitioner is not alleged to have taken any money from the informant or from any family member of the informant and committed any act in order to defraud or cheat the informant.

Considering the facts aforesaid, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of this order, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Siwan in connection with Siwan Town (Sarai) P.S. Case No.550 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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