

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28976 of 2019

Arising Out of PS. Case No.-54 Year-2014 Thana- LAUKARIA District- West Champaran

1. NOOR MOHAMMAD ANSARI @ NOOR MUHAMAD ANSARI @ NUR MAHAMAD ANSARI Son of Suleman Mian Resident of Village- Goriyapatti, Bagaha-1, P.O.- Bagaha, P.S.- Bagaha, District- West Champaran (Bettiah).
2. Suleman Mian Son of Late Makuni Mian Resident of Village- Goriyapatti, Bagaha-1, P.O.- Bagaha, P.S.- Bagaha, District- West Champaran (Bettiah).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Lokesh Kumar Singh
For the Opposite Party/s	:	Mr.Sanjay Kumar Tiwary
For O. P. No. 2	:	Mr. Anjani Parasar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 14-08-2019 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Laukariya Police Station Case No. 54 of 2014, disclosing offences under Sections 420/406/467/468/471/120-B of the Indian Penal Code.

The allegation against the petitioners is that the informant had given a sum of Rs. 60,000/- for the purpose of visa and air fare to the petitioners on the assurance of the petitioners that they would send the informant to Dubai for employment.

Learned Counsel for the petitioners submits that the



petitioners are innocent and have falsely been implicated in this case, based upon a concocted story. He further submits that a sum of about Rs. 58000/- was given to the informant by the petitioners for the treatment of the informant's wife. He further submits that the petitioners have not accepted any money from the informant, as alleged in the First Information Report. He further submits that the police investigated the matter and after completion of investigation submitted final form, not sending the petitioners for trial. However, the learned Magistrate differed with the final form and took cognizance of the offence against the petitioners.

On the other hand, learned Counsel appearing on behalf of the informant-Opposite Party No. 2 vehemently opposes the prayer for bail and submits that the petitioners duped the informant and on the false assurance, has taken a sum of Rs. 60,000/- from the informant.

After having heard learned Counsel for the parties and taking into consideration the fact that the police has submitted final form after thorough investigation and there is no proof of payment of any amount to the petitioners by the informant, I am inclined to grant the petitioners privilege of anticipatory bail. Accordingly, this application is allowed.



Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Bagaha, West Champaran (Bettiah), in connection with Laukariya Police Station Case No. 54 of 2014, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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