

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28168 of 2019**

Arising Out of PS. Case No.-2649 Year-2017 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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1. MUNNA MIAN Son of Idris Mian @ Indrish Baitha Resident of Village - Jagarnatha, P.S.- Manjhagarh, District- Gopalganj
 2. Raj Mohammad Mian Son of Idris Mian @ Indrish Baitha Resident of Village - Jagarnatha, P.S.- Manjhagarh, District- Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Baban Sah Son of Late Asarfi Sah Resident of Village - Surwaniya, P.S.- Manjhagarh, District- Gopalganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Javed Aslam

For the Opposite Party/s : Mr.Madhura Nand Jha

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 02-05-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Complaint Case No. 2649 of 2017, Trial No. 1843 of 2018 registered for the offences punishable under Sections 406, 417 of the Indian Penal Code.

Petitioners are said to have taken Rs. 60,000/- and passport of his son from the complainant for sending his son abroad and accorded him VISA but not the ticket of the air. They neither sent his son abroad nor returned money and passport and cheated the informant of the aforesaid amount.



It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. They have neither taken any money nor accorded VISA to the complainant. There is no evidence regarding giving any money to the petitioners. Moreover the witnesses examined during course of inquiry have stated different dates of giving aforesaid money to the petitioners. Petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 1st, Gopalganj in connection with Complaint Case No.2649 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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