

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38518 of 2019

Arising Out of PS. Case No.-657 Year-2017 Thana- COMPLAINT CASE District- Araria

MD. KASIM S/o Allauddin Resident of Village- Pathraha, Ghurana Bazar,
Ward No. 6, Hazi Tola, P.S.- Ghurana, District- Araria.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Md. Azad S/o Late Rauf Resident of Village- Purana Jogbani, Ward No. 01,
P.S.- Jogbani, District- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhijeet Gautam

For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 18-10-2019 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with
Complaint Case No.657C/2017 , registered for offences
punishable under Section 420 of the Indian Penal Code.

As per the complaint case, there is allegation of taking
Rs.03,05,000/- by the petitioner from the complainant and not
returning the same.

Submission of the learned counsel for the petitioner is
that there is no cheat of paper in support of payment of
Rs.03,05,000/- though the O.P.no.2 had earlier stated that he
will produce documents regarding the same and a direction
was given to file Counter Affidavit but he has not filed any



Counter Affidavit nor any document showing the same.

Heard learned A.P.P. and the learned counsel for the O.P.no.2 who instead of filing Counter Affidavit praying for time .

In this case earlier the provisional bail was granted to the petitioner but it has been submitted that he could not submit the bail bond..

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the learned court below, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM VI, Araria in connection with Complaint Case No.657C of 2017, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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