

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41346 of 2019

Arising Out of PS. Case No.-395 Year-2018 Thana- MAJHAULIA District- West Champaran

REEYAZ AHMAD @ REYAZ AHMAD S/o Saifullah Mian @ Mohammad
Safiullah R/o village- Majhauriya Seikh, P.S.- Majhauria, District- West
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 04-07-2019 This application, for grant of anticipatory bail, arises out of Majhauria P.S. Case No. 395 of 2018, disclosing offences under Sections 406, 420, 467, 468, 471, 323, 504, 506 and 120B of the Indian Penal Code.

Allegation as per F.I.R. is that petitioner took Rs. 2,95,000/- from the informant for execution of sale deed of a land but the sale deed was not executed in favour of the informant and when the informant demanded his money back a cheque of Rs. 2,95,000/- was issued by the petitioner, which was dishonored by the bank on presentation and he is not ready to return the money.

Submission of learned counsel for the petitioner is that in the whole prosecution case, description of land has not been given and the allegations are out and out false and concocted and he has not taken any money from the informant. So far cheque in question is



concerned, the petitioner has given different signed cheques to one Parvez Alam, who is sub K.O. of C.S.P. (State Bank of India) and he has earlier misappropriated huge amount of the petitioner, for which, the petitioner has lodged a case against and due to which, this false case has been lodged at the instance of said Parvez Alam.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran, in connection with Majhauria P.S. Case No. 395 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure. It is further subject to the condition that petitioner will cooperate in investigation and appear before the investigating officer / court concerned, as the case may be, otherwise, the prosecution will move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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