

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45424 of 2019

Arising Out of PS. Case No.-1961 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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1. Jainuddin Ansari, Son of Ida Mian, Resident of Village- Rathiya, P.S.- Gobindganj, District- East Champaran.
 2. Ida Mian, Son of Late Tabarak Mian, Resident of Village- Rathiya, P.S.- Gobindganj, District- East Champaran.
 3. Shabrun Nesha, Wife of Jainuddin Ansari, Resident of Village- Rathiya, P.S.- Gobindganj, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pavez Alam, Son of Akhtar Hussain, Resident of Village Sirni Bazar, P.S.- Malahi, Dist.- East Champaran at Motihari.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vibhakar Kumar
For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 23-07-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Complaint Case No. 1961 of 2018, registered under Sections 406, 504 and 506 of the Indian Penal Code.

The accusation is that petitioner no. 1, Jainuddin Ansari, who is visiting terms with the complainant-opposite party no. 2, came near complainant-opposite party no. 2 and asked to invest Rs.5,00,000/- in his tailoring business at



Mumbai with assurance to give handsome amount per month. On much persuasion, complainant-opposite party no. 2 gave Rs.4,95,000/- in presence of petitioner nos. 2 and 3, who are father and wife of petitioner no. 1, respectively, but in spite of passing over six months, not a single penny was given by the petitioner no. 1 to the complainant-opposite party no.2. Thereafter, complainant-opposite party no.2 inquired about the business of petitioner no. 1 then he came to know that petitioner no. 1 had no any tailoring business at Mumbai. On much persuasion by the complainant-opposite party no.2, petitioner no. 1 executed the agreement deed about returning the aforesaid money within one year but petitioner no. 1 did not take any heed. Thereafter, complainant-opposite party no.2 sent the legal notice to the petitioner no.1.

Learned counsel for the petitioner submits that no any paper has been produced by the complainant-opposite party no.2 about receiving cash of Rs.4,95,000/- by petitioner no. 1 and petitioner nos. 2 and 3 are father and wife of petitioner no. 1 have falsely been implicated in this case. The 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 six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Motihari, in connection with Complaint Case No. 1961 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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