

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51769 of 2019

Arising Out of PS. Case No.-1635 Year-2018 Thana- SIWAN COMPLAINT CASE District-
Siwan

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1. Shakil Ahmad, Son of Nazir Mian, Resident of Village - Khairatiya, P.S.- Bettiah Muffasil (Manuapool), District- West Champaran
 2. Brajbhan Singh, Son of Ram Sanehi Singh, Resident of Mohalla - House No. 632 Santosh Nagar, P.S.- Faridabad S.S.i., District- Faridabad (Haryana)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Rehan, Son of Abdul Mannan, Resident of Mohalla - Shukla Toli, P.S.- Siwan Town, District- Siwan

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 04-11-2019 This is an application for grant of anticipatory bail in connection with Complaint Case No. 1635 of 2018, disclosing offences under Sections 406, 420, 120B of IPC.

As per F.I.R. allegation against the petitioners is that they have taken amount of Rs.2, 92,000/- on different dates for sending the informant to foreign country for a job. It further appears that in the S.A. the complainant has alleged that Rs.1,84,000/- has been deposited in the bank account of petitioner no.1 and Rs.98,000/- has been deposited in the account of the petitioner no.2.

Submission of the learned counsel for the petitioners is that so far amount deposited in their respective accounts, they are ready to return the same, if some reasonable time is given to them.



Heard learned A.P.P. also.

Having heard both sides, in view of the facts and circumstances, as stated above, this application is disposed of with a direction to the petitioners to surrender before the learned court below within a period of three weeks from the date of receipt of certified copy of this order along with a bank draft of Rs. 30,000/- by filing separate bank draft in favour of the opposite party no.2 and on that, petitioners shall be released on provisional bail for a period of six months to his own satisfaction. On surrender, the learned court below shall issue a notice to the opposite party no.2. During that period, the rest of the amount they have to deposit in six installments within a period of six months. Once the total amount is deposited, the provisional bail of the petitioners shall be confirmed, otherwise, same shall be cancelled.

It is also made clear that complainant/opposite party no.2 on his appearance, if file any petition for withdrawal of the amount, the same shall be released in his favour subject to the result of the case.

Sunil Shukla/-

(Vinod Kumar Sinha, J)

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