

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72699 of 2018**

Arising Out of PS. Case No.-702 Year-2017 Thana- SITAMARHI District- Sitamarhi

Sekh Liyakat Ali, Son of Sekh Sajjat Ali, Resident of Paschim Ramanathpur,
Paschimpara Kumirmore, P.S.- Chanditala, District- Hooghly, State- Kolkata.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anuj Dilbar Krishna
For the Opposite Party/s : Mr. Shyameshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 13-03-2019 Heard learned counsel for the petitioner, learned
counsel appearing on behalf of the informant and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Sitamarhi P.S. Case no. 702 of 2017, registered under
Sections 406 and 420/34 of the Indian Penal Code.

The accusation is that Shekh Sabir Ali along with
his brothers, namely, Shekh Amir Ali and Shekh Mehraj Ali
and father Shekh Liyakat Ali (petitioner) used to prepare the
ornaments on taking gold from the shopkeepers of gold. On
15.06.2015, the aforesaid persons came at the gold shop of the
complainant Ashok Kumar Rai and took 830.530 Gram gold
worth of Rs. 24 Lakhs with assurance that after preparation of
the ornaments, the same will be returned till 30.01.2016 and as
a security, they also gave Rs. Three lakhs. At that time, Shekh
Sabir Ali also wrote a paper regarding the same on which his



brother Mehraj Ali put signature as witness, but prepared ornaments were not returned to him. Thereafter, Panchayati was arranged in which this petitioner assured to return the ornaments.

Learned counsel for the petitioner submits that, in fact, petitioner is the father of other accused and due to that reasons, he has falsely been implicated in this case. It would appear from the complaint petition that Shekh Sabir Ali has taken gold from the complainant and he also wrote a paper in that regard on which Mehraj put his signature, as a witness. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Sitamarhi in connection with Sitamarhi P.S. Case No. 702 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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