

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84577 of 2019**

Arising Out of PS. Case No.-9 Year-2019 Thana- NIMCHAKBATHANI District- Gaya

NABI AKHTAR KHAN @ AKHTAR KHAN Son of Hameed Khan Resident
of Village- Horidih, P.S.- Nimchak Bathani, District- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lilawati Singh

For the Opposite Party/s : Mr.Bhanu Pratap Singh

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

2 19-12-2019 Heard learned Counsel for the petitioner and the learned
APP for the State.

Petitioner apprehends arrest in Nimchk Bathani PS
Case No. 9 of 2019 registered under Sections 420, 406, 467, 468 and
471 of the IPC.

The allegation is that the petitioner has fraudulently
obtained loan in the name of father of the informant who is dead.

Petitioner's counsel submits that the allegations are
false. He submits that irrespective of the allegations, the fact is that
the amount of loan which is alleged to have been fraudulently
obtained has already been repaid to the bank on 31.1.2019. No dues
in respect of the said loan has also been issued to the petitioner in
respect of Account No. 1624008800006887 (Annexure 2).

Considering the aforesaid submissions prayer for
anticipatory bail of the petitioner is allowed.

In the event of arrest or surrender before the court below
within four weeks from today, let the petitioner above named be
released on bail on furnishing bail bonds of Rs. 10,000/- (Ten
thousand) with two sureties of the like amount each to the



satisfaction of ACJM X Gaya in Nimchak Bathani PS Case No. 9 of 2019 subject to all conditions as laid down in Section 438(2) of the Criminal Procedure Code as also subject to the following conditions:- (I) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner. (ii) That the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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