

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12337 of 2020

Arising Out of PS. Case No.-283 Year-2019 Thana- DUMRAO District- Buxar

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HAIDAR ANSARI Son of Karimullha Ansari Resident of Village - Usia,
P.S.- Dildar Nagar, District - Gajipur (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Saroj Kumar Sharma, Advocate
For the Opposite Party/s	:	Mr.Chandra Bhushan Prasad, APP
For the Informant	:	Mr. Sanjay Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 04-09-2020 Heard learned counsel for the petitioner, learned

counsel for the State and learned counsel for the informant

through video conferencing.

The petitioner has filed the instant application for
grant of anticipatory bail apprehending his arrest in connection
with Dumraon P.S. Case no. 283 of 2019 registered under
sections 420, 406, 467, 468, 471 and 120B of the Indian Penal
Code.

As per allegation in the FIR, it is stated by the
informant that an agreement was entered into between the
informant and the accused persons and the informant gave a
sum of Rs. 30,000/- to the petitioner by depositing the same in
the account of the petitioner. It is further stated that the

informant deposited different amounts in the account of the petitioner for which he has receipts.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the FIR are false and concocted. The petitioner had been working as a staff of a travel agency and there had been no complaint against him. The informant had made a programme of going to Saudi Arabia and subsequently on cancelling the same, he started demanding his money back and on not getting the same he has lodged this false case. The petitioner has no criminal antecedent.

The application for bail is opposed by learned counsel for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that initially a sum of Rs. 30,000/- in cash was deposited in the account of the petitioner and subsequent thereto various amounts were deposited on different dates. A total of Rs. 70,000/- has been given to the petitioner.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is inclined to enlarge the petitioner on anticipatory bail on fulfillment of condition as stated below. The petitioner is directed to surrender in the Court below within a

period of eight weeks from today and in the event of his arrest or surrender in connection with Dumraon P.S. Case no. 283 of 2019 he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar, subject to the condition as laid down under section 438(2) of the Cr.P.C.

The grant of bail is subject to condition that the petitioner shall pay to the informant a sum of Rs. 50,000/- (Rupees Fifty thousand) within a period of three months from today. In case the aforesaid amount is not paid within the time fixed, the Court below shall cancel the bail granted to the petitioner and take him into custody.

(Partha Sarthy, J)

Prakash/-

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