

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77428 of 2019

Arising Out of PS. Case No.-564 Year-2016 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

=====

Sheikh Manjoor Son of Late Sheikh Rahman Resident of Village - Kokiladih
Bhakha Tola, P.S.- Sirisia, O.P., Distt.- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sk. Latif son of Late Sheikh Rajjak village- Baridori Awsari, P.S.- Laukaria,
District- West Champaran

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Anand Kishore Choudhary, Advocate

For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 18-02-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in **Complaint Case Case No. C-564 of 2016 corresponding to Sessions Trial No. 398/2019**), registered for the offences punishable under Sections 341, 323, 420, 406 and 34 of the Indian Penal Code.

Petitioner is brother-in-law (Bahnoi) of the complainant. It is alleged that petitioner took Rs. 1,00,000/- as loan, but he did not return the money.

It is submitted by learned counsel appearing on behalf of petitioner that petitioner has falsely been implicated in this case. There is no chit of paper available on the record which



shows that petitioner has taken money from the complainant. There is land dispute between the parties. Petitioner has earlier filed a complaint case no. 1820(C)/2014 under Section 341, 323, 406, 420 and 120(B) of the Indian Penal Code against the complainant. Petitioner has got clean antecedent.

Considering the facts aforesaid, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to 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 the learned **Judicial Magistrate Ist Class, Bagaha, West Champaran** in connection with **Complaint Case Case No. C-564 of 2016 corresponding to Sessions Trial No. 398/2019**), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be



cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

vinita/-

U		T	
---	--	---	--

