

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9436 of 2020

Arising Out of PS. Case No.-178 Year-2019 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Zahid Khan S/o Mohan Khan Resident of Village-Bairati, P.S.-Chiutaha,
District-West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Akbar Khan S/o Late Yakub Khan Resident of Village-Narainapur, Ward No.4, P.S.-Bagaha (O.P.-Pathkhauri), District-West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kr Singh No. 1

For the Opposite Party/s : Mr.Ram Naresh Ray

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 13-12-2021 Heard learned counsel for the petitioner and learned

APP for the State. Nobody appears on behalf of opposite party

no.2 despite valid service of notice.

The petitioner apprehends his arrest in Complaint
Case No.178/2019 (Tr. No.3967/2019) for the offences
punishable under Sections 420, 406, 417, 379 and 411 of the
Indian Penal Code.

The allegation against the petitioner is of committing
criminal breach of trust and the petitioner is said to have cheated
the complainant.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. It is



further submitted that the price of four wheeler was fixed for Rs.35,000/- out of which the complainant deposited Rs.34,500/-. After that the complainant requested the petitioner to repair the said vehicle and to complete the denting painting for which an amount of Rs.31,000/- was fixed. The petitioner completed the entire work in the vehicle in good faith but now the complainant is not paying single rupee to the petitioner and he is not transferring the papers of the vehicle in the name of purchaser. It is also submitted that No Objection Certificate has not been issued by the Government of Delhi. It is submitted that the matter has been compromised between the parties in the court below.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioner.

Having considered the facts aforesaid, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Bagaha, District West Champaran in connection with Complaint Case No.178/2019, giving rise to Tr. No.3967/2019, subject to



the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J.)

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