

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 31857 of 2020**

Arising Out of PS. Case No.-54 Year-2020 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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Faij Khan @ Faiyaz Khan, aged about 40 years (Male), Son of Md. Kuddus Khan, Resident of Emali Sadar Gali, PS - Khajekala, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. N K Agrawal, Sr. Advocate with Mr. Dhananjaya Nath Tiwari, Advocate
For the State	:	Mr. Jharkhandi Upadhyay, APP

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 02-03-2021

Heard Mr. N K Agrawal, learned senior counsel along with Mr. Dhananjaya Nath Tiwari, learned counsel for the petitioner and Mr. Jharkhandi Upadhyay, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

2. The petitioner apprehends arrest in connection with Town PS Case No. 54 of 2020 dated 20.01.2020, instituted under Sections 420, 406, 467 and 468/34 of the Indian Penal Code.

3. The allegation against the petitioner and six others is that the company which they represented had induced the informant to become a CNF agent and had paid Rs. 18 lakhs, but no supply was given to him.



4. Learned counsel for the petitioner submitted that he is totally innocent and was an employee of the company concerned. It was submitted that even prior to the date of agreement i.e., 16.03.2019, his services were terminated by the company on 08.03.2019. Learned counsel submitted that later the Directors of the said company have also compromised with the informant on 19.06.2020 and payment of Rs. 7 lakhs has been made and the second installment of Rs. 5.50 lakhs has been paid in December, 2020 and the rest Rs. 5.50 lakhs is to be paid before 30.06.2021. It was submitted that the petitioner has no criminal antecedent.

5. Learned APP submitted that the petitioner was one of the persons who has induced the informant to become the CNF agent. However, the compromise between the parties was not controverted.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur in Town PS Case



No. 54 of 2020, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands disposed off in the
aforementioned terms.

(Ahsanuddin Amanullah, J.)

P. Kumar

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