

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15553 of 2020

Arising Out of PS. Case No.-1820 Year-2014 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

IZHAR AHMAD Son of Shekh Latif @ Sk. Latif Resident of Village -
Basgaon, P.S.- Laukariya, District - West Champaran

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Sheikh Manjoor Son of Late Sheikh Rahman Resident of Village - Kokila Dih, Bharwatola, P.S.- Nauangia (Sirisiya O.P.), District - West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. R.S.Sahay Mr. Vijay Kr Singh No. 1
For the State	:	Mr.Amit Kumar Rakesh
For opposite party no.2		Mr. Anand Kishore Chaudhary

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

10 05-07-2022 Heard the learned counsel for the petitioner and
learned counsel for the opposite party no.2.

The petitioner apprehends his arrest for the offences alleged under Sections 323, 341, 406, 420 and 120(B) of the Indian Penal Code, registered in connection with Complaint Case No. 1820 of 2014, Tr.No.8479 of 2019.

As per allegation, the son of the complainant was unemployed. The petitioner, who is relative of the complainant, assured him to secure a job for his son in foreign and the petitioner demanded Rs. 80,000/-. The complainant gave him



Rs. 50,000/- and it was agreed that rest Rs. 30,000/- will be paid after some time. The formalities for sending the son of the complainant to abroad were completed, including his medical check up etc. Later on, neither the petitioner stood to his word, nor returned the money, despite repeated demands by the complainant.

The learned counsel for the petitioner has submitted that the *agnate* of the petitioner is brother-in-law of the complainant. There is land dispute between the petitioner and brother-in-law of the complainant and it was the reason that the present complaint has been filed. He has submitted further that the complainant's son was not examined as P.W. during inquiry. He has also submitted that there is not a chit of paper about the transaction of money.

On the other hand, the learned counsel for opposite party no.2 has submitted that the complainant had given money to the petitioner in good faith and there is no chit of paper in this respect. He has also submitted that there is no land dispute between the *agnate* of the petitioner and the brother-in-law of the complainant and this submission of the learned counsel for the petitioner is far from the truth.

Considering the above facts and circumstances, I am



not inclined to grant anticipatory bail to the petitioner. His
prayer for anticipatory bail is hereby rejected.

(Nawneet Kumar Pandey, J)

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