

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29841 of 2021

Arising Out of PS. Case No.-1564 Year-2013 Thana- COMPLAINT CASE District- Araria

Md Nauman Son Of Late Shafique @ Mohammad Shafik R/O Village-
Mahiyarpur, P.S.- Kochadhaman, District- Kishanganj.

... .. Petitioner/S

Versus

1. The State Of Bihar
2. Md. Imamuddin Son Of Late Haji Jamiruddin R/O Village- Pothiya, P.S.-
Simraha, District- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Ziaul Quamar
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 16-08-2022 Heard learned counsel for the petitioner, the State and
opposite party no.2.

The petitioner apprehends their arrest in Complaint
Case No. 1564C/2013, registered for the offences punishable
under Sections 406, 417, 120B of the Indian Penal Code.

The complainant alleged that Md. Noman (petitioner)
came and persuaded him to purchase Scorpio Vehicle of the
petitioners. On such the complainant paid Rs. 2,50,000/- to Md.
Noman executed agreement of the vehicle in the favour of the
complainant and thereafter he refused to transfer the said
vehicle in the name of the complainant.

It is submitted on behalf of the petitioner that there is



no allegation against the petitioner. He is not the real owner of the vehicle and the real owner is still ready to transfer the vehicle in the name of the complainant.

On the other hand, learned counsel for the complainant vehemently opposed the prayer for anticipatory bail of the petitioner. He submits that there is specific allegation against the petitioner that he took Rs.2.50 lacs and refused to transfer the vehicle.

Considering the specific allegation against the petitioner, his prayer for bail is refused with direction to surrender and seek regular bail which would be considered and disposed of on its own merit without prejudice.

(Prabhat Kumar Singh, J)

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