

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71239 of 2021

Arising Out of PS. Case No.-461 Year-2021 Thana- PHULWARISHARIF District- Patna

MD. QUMAR ALAM @ MOHAMMAD QUAMAR ALAM SON OF MD.
SADRE ALAM, RESIDENT OF VILLAGE- ABDAL CHAK, P.S- KAKO,
DIST- JAHANABAD.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Qumrul Hoda

For the Opposite Party/s : Mr.Pranav Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 28-07-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with
Phulwari Sharif P.S. Case No. 461 of 2021 registered for offence
punishable under sections 406, 354 (A) and 509 of the Indian
Penal Code.

As per allegation, the petitioner, who is a contractor,
had taken contract to build the house of the informant and as per
agreement, the informant was to pay Rs.5,00,000/-. She paid
Rs.3,45,000/-, but the petitioner did not perform the



construction work. Further allegation against the petitioner is that he made pressure upon the informant to surrender herself to him for sexually exploitation and only thereafter the work was assured to be completed. The informant demanded her already paid extra amount of Rs. 1,75,000/- from the petitioner, but he did not return it.

The learned counsel for the petitioner has submitted that as per terms and conditions, the construction work was to be done for consideration amount of Rs.5,00,000/- and the informant wanted day-to-day some extra work. The informant did not pay the rest consideration amount, as such, the notice through the pleader was sent to her. The learned counsel for the petitioner has submitted further that the informant and one Mohammad Manouwerul Hoda threatened the petitioner and in this respect, the petitioner made complain before the S.H.O. Janipur, who instructed the petitioner to send the complaint to the D.G.P. and after remitting the complaint to the D.G.P., this case has been lodged. He has also submitted that the petitioner is a person of clean antecedent.

Considering the above-mentioned facts and circumstances as well as clean antecedent of the petitioner, let him, in the event of his arrest or surrender, within four weeks



from today, be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX 1st Class, Patna in connection with Phulwari Sharif P.S. Case No. 461 of 2021, subject to condition as laid down under section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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