

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11148 of 2023

Arising Out of PS. Case No.-385 Year-2021 Thana- COMPLAINT CASE District- Araria

1. Md. Raja Son Of Sheikh Nizam R/O Vill.- Gaira, Tola Hasanpur, Ward No. 10, P.S. And Distt.- Araria, Bihar
2. Tarique @ Choto @ Tarique Alam Son Of Sheikh Nizam R/O Vill.- Gaira, Tola Hasanpur, Ward No. 10, P.S. And Distt.- Araria, Bihar

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Rabindra Kumar Ray R/O Vill.- Paktola, At Present Ashram Road, Ward No. 14, P.S. And Distt.- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nishant Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 01-05-2023 Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in a case registered for the offence punishable under sections 406, 420/34 of the Indian Penal Code.

It is alleged that the petitioners bought 110 quintals of paddy from the complainant. @ Rs 1650/- per quintal, which was given to the complainant for a total amount of Rs.1,82,600/- Later on Rs.15,000 was paid out of the total amount by the petitioners. Petitioners with dishonest intention started making



excuses one after the other to stop the payment of dues to the complainant and when the complainant asked to return the dues amount from the accused persons, they abused him.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case only due to village politics. Petitioners had never taken any paddy from the complainant and the entire prosecution case is false and fabricated. Petitioners claim clean antecedent.

Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioners, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of Learned Chief Judicial Magistrate, Araria in connection with Complaint case no- 385C of 2021, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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