

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12713 of 2023

Arising Out of PS. Case No.-16 Year-2020 Thana- MANPUR District- West Champaran

SHAKEEL AHMAD Son of Mojahiruddin Ahmad R/O Village - Inarwa, P.S.-
Ramgadhwa, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 12-09-2023

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for anticipatory bail apprehending his arrest in connection with Manpur P.S. Case no.16 of 2020 registered for the offence punishable under sections 420, 120B, 409 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that the Ex. Panchayat Sachiv came along with the petitioner who happens to be the contractor of N.K. Enterprises and took away three cheques for the purpose of carrying out the work of the panchayat. It subsequently transpired that Rs.6.5 lacs had been withdrawn from the account and credited to the account of N.K. Enterprises. As neither the work was done nor the amount returned, hence the F.I.R.



4. Learned counsel for the petitioner submits that though the petitioner has been named in the F.I.R. in the capacity of being the contractor of N.K. Enterprises having accompanied the Ex. Panchayat Sachiv, it is categorical stand of the petitioner that he has no concern whatsoever with N.K. Enterprises, no amount of the panchayat has been transferred or credited to his account nor has any material with respect to these two facts transpired in course of investigation. The petitioner has no criminal antecedent.

5. The application for bail is opposed by learned A.P.P. for the State. However, having gone through the material that has transpired in course of investigation, it is not disputed that no connection of the petitioner with the said N.K. Enterprises has transpired in course of investigation nor has it transpired that any of the amount as alleged by the informant has been credited to the petitioner's account.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the F.I.R., the material that has transpired in course of investigation and the petitioner not having any criminal antecedent, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks,



be released on anticipatory bail in connection with Manpur P.S.
Case no.16 of 2020 on furnishing bail bond of Rs.10,000/-
(Rupees Ten Thousand) with two sureties of the like amount
each to the satisfaction of the learned A.C.J.M.-I, Bettiah, West
Champaran.

(Partha Sarthy, J)

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