

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17066 of 2023

Arising Out of PS. Case No.-1186 Year-2022 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Md. Raja, Male, aged about 28 years, Son of Md. Ansar, Resident of village - Garbhaili, Near Damadi Tola Idgah, P.S.- Mufassil, District - Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Halimat Khatoon, Wife of Sk. Sajim, Resident of village - Digghi, Katihar, P.S.- Mufassil, District - Katihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rama Nand Poddar, Advocate
For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 28-08-2023 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the Complainant.

2. The petitioner apprehends arrest in connection with
Complaint Case No. 1186 of 2022, for offence under Sections
406, 420, 120-B of the Indian Penal Code.

3. As per the complaint the co-accused Rahul Kumar
Mallik and the petitioner have cheated complainant and other
persons for sanctioning of loan under *Pradhan Mantri Mudra
Loan Yojna*, where they asked to pay 10% commission against
the loan amount.

4. Learned counsel for the petitioner submits that
there is no specific allegation against the petitioner regarding
receiving the amount from the complainant. The specific
allegation is against co-accused Rahul Kumar, who has been
granted regular bail vide order dated 24.06.2023 passed by a co-



ordinate Bench of this Court in Cr. Misc. No. 33794 of 2023.

5. Learned counsel for the petitioner further submits that mere perusal of the record, it transpires that the allegation of taking money is on co-accused Rahul Kumar and the petitioner has been falsely implicated in this case without any basis. There is no material against the petitioner to connect him in the crime. He has no criminal antecedent.

6. Learned APP for the State and learned counsel for the Informant opposed the prayer for anticipatory bail.

7. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar in connection with Complaint Case No. 1186 of 2022, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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