

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26474 of 2023

Arising Out of PS. Case No.-2135 Year-2013 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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ARSHAD ALI KHAN SON OF RAMTULLAH KHAN R/O VILLAGE-
DANAPUR, P.S.- MANJHAGARH, DISTRICT- GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 20-07-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.
2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 420, 406
and 34 of the Indian Penal Code.
3. Learned counsel for the petitioner submits that the
petitioner has antecedent of one case and the informant alleges
that the petitioner took Rs. 1,50,000/- from him on pretext of
sending him to South Africa on a monthly salary of Rs. 65,000/-
further medical of complainant was done at Delhi but the
complainant was given forged Visa and Ticket and then he
realized that he has been cheated.
4. Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the present case, it is next submitted that earlier Shivjee Sahani had instituted a case against the petitioner and others in which the present complainant was a witness and in that case the petitioner returned the amount to Shivjee Sahani, as such, the present complainant took the same as a cue for implicating the petitioner in a false case for extorting money by alleging that even he had paid an amount of Rs. 1,50,000/- on the assurance that he will be sent abroad, it is next submitted that though allegation is of giving Rs. 1,50,000/- to the petitioner and one another but then the complaint is completely silent with regard to the fact that how the money was paid.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that the petitioner has not described himself in the complaint petition that what he does except for a bald statement that he works in Delhi, it is next submitted that there is specific allegation against the petitioner that he took Rs. 1,50,000/- and thereafter medical of the complainant was done and the complainant was given a forged Visa and a forged Ticket when he realized that he has been cheated.

6. Considering the submissions made by the learned



APP for the State, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. Hence, the present anticipatory bail application of the petitioner is rejected.

(Satyavrat Verma, J)

Adnan/-

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