

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29646 of 2023

Arising Out of PS. Case No.-171 Year-2020 Thana- GAYA COMPLAINT CASE District-
Gaya

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ATAUR RAHMAN SON OF LATE HAFIZ MOHAMMAD SALIM R/O
MOHALLA EXHIBITION ROAD, NEAR PETROL PUMP PUNJAB
NATIONAL BANK, P.S.- GANDHI MAIDAN, DISTRICT- PATNA,
PERMANENT RESIDENT OF MOHALLA- PURANI GUDARI, P.S.-
NAGAR, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

1. The State of Bihar
2. ASHOK KUMAR SON OF LATE BRIJNANDAN PRASAD R/O
MOHALLA- JANAKPUR, P.O.- BUNIYADGANJ, P.S.- MUFASSIL,
DISTRICT- GAYA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Chandra Shekhar Anand, Adv.
For the Opposite Party/s :	Mr.Anant Kumar 1, APP.
	Mr. Sunil Kumar Yadav, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 01-08-2023 Heard the parties.

2. The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 406 of the Indian
Penal Code and Section 138 of the N.I. Act.

3. Allegedly, petitioner, along with other accused persons, is
said to have committed cheating with informant in business for Rs.
16,58,000/-.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. No
such occurrence as alleged ever took place. He has been falsely
implicated in this case due to ulterior motive. The allegation



levelled against the petitioner is not specific rather general and omnibus in nature. His name has been transpired in the present case merely because he is father of co-accused Sajid Rahman. It is further submitted that there is no evidence on record to show that complainant has given the alleged amount to the petitioner by way of cash, cheque or R.T.G.S. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the complainant opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, as there is business transaction related dispute between the parties, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Complaint Case No. 171 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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