

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31046 of 2023

Arising Out of PS. Case No.-2353 Year-2019 Thana- PURNIA COMPLAINT CASE District-
Purnia

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1. Master Harish @ Md Harish S/O Late Jalil @ Md Jalil @ Haji Jalil @ Haji Abdul Jalil Resident Of Village Kharhiya P.S. Amour District Purnia
 2. Abu Horera @ Jhariya S/O Late Jalil @ Md Jail @ Haji Jalil @ Haji Abdul Jalil Resident Of Village Kharhiya P.S. Amour District Purnia
 3. Umesh Bishwas @ Umesh Kumar S/O Kanhai Vishwas @ Kanhaiya Lal Mandal Resident Of Village Kharhiya P.S. Amour District Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Ziaul Quamar

For the Opposite Party/s : Mr. Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-07-2023 Heard learned counsel for the petitioners, learned
A.P.P. for the State and learned counsel for the opposite party
no.2.

2. The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 406 and
420 of the Indian Penal Code.

3. As per the prosecution case, the complainant
consigned the local workers i.e. these petitioners from the
company to do civil work. The contractors started that civil
work and during the course, complainant paid total Rs.
3,50,000/- to the suppliers of raw materials for completing said
civil work in the locality being authorized representative, but



these petitioners being the contractors of the said work did not return the said amount to the complainant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that after investigation the police has submitted final form against the petitioner and the Court below also accepted the final form, but the opposite party no. 2 has filed a revision petition in the higher Court and the said revision application is allowed, thereafter, the present complaint case is being filed against the petitioners and cognizance has been taken against the petitioners. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for opposite party no. 2 opposed prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their 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) each with two



sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with C.A. case No. 2353 of 2019 arising out of Amour P.S. Case No. 07 of 2018 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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