

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57462 of 2022

Arising Out of PS. Case No.-56 Year-2022 Thana- MANIHARI District- Katihar

1. Firoja Begum W/O Amir Hussain @ Amiruddin Resident Of Village- Paschim Tola, Manihari, Ward No.- 14, P.S.- Manihari, District- Katihar
2. Amir Hussain @ Amiruddin S/O Late Kuved Ali Resident Of Village- Paschim Tola, Manihari, Ward No.- 14, P.S.- Manihari, District- Katihar
3. Md. Sarfaraj Alam @ Sarfaraj Hussain S/O Amir Hussain Resident Of Village- Paschim Tola, Manihari, Ward No.- 14, P.S.- Manihari, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 11-05-2023 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 419, 420, 379, 120(B)/34 of the Indian Penal Code.

Prosecution case is that the informant purchased a truck on finance, thereafter, he suffering from cancer disease. After some time, informant handed over the said truck to the accused persons as named in the FIR and went Mumbai. It has been alleged that the informant received information about EMI from Sriram Finance as the same is failed since long upon which the informant arrived and came to know that accused persons sold his truck to another person under Bengal State.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in



this case. He submits that the petitioners never taken any truck from the informant. The informant has not produced any documents or any type of agreement with regard to sell of said truck as described in the FIR. He submits that the present case is purely civil in nature and civil remedies also are available to the informant for redressal of his grievance. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State and learned counsel for the informant oppose the prayer for bail.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioners on bail. Accordingly, their prayer for anticipatory bail is rejected in connection with Manihari P.S. Case No. 56 of 2022.

However, if the petitioners surrender before the learned court below within a period of six weeks from today and pray for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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