

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59848 of 2022

Arising Out of PS. Case No.-217 Year-2022 Thana- NARPATGANJ District- Araria

MD. KHURSHID @ KHURSHID ALAM S/O LATE SAKIR @ MD. SHAKIR Resident of Village- Pathraha Ward No- 17, P.S.- Ghurna, O.P., District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 06-02-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The Petitioner is apprehending his arrest in a case registered for the offences punishable u/s 406 and 420 of the Indian Penal Code.

As per the prosecution case, the petitioner induced the informant showing photograph of a girl on his mobile to solemnize the marriage with the informant if some gifts and money is spent by the informant. At the instance of the petitioner, the informant purchased clothes and also gave



Rupees 11,000/- cash to the petitioner who assured to proceed the marriage with a girl shown through his mobile. Thereafter the petitioner pretended to extort money from the informant and said to show the balance of bank account. Thereafter, total Rupees 50,000/- cash amount was withdrawn at the instance of the petitioner and when the informant asked the petitioner to return the said amount, he refused and gave threat for serious consequences.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. There is land dispute between the parties. The petitioner is the neighbor of the informant. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the nature of allegation, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Araria in connection with



Narpatganj (Ghurna) P.S. Case No. 217 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure with following conditions:-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

2. The court below shall verify the criminal antecedent of the petitioner and at any stage, if it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

(Chandra Prakash Singh, J)

guddukr/-

U		T	
---	--	---	--

