

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69325 of 2022**

Arising Out of PS. Case No.-215 Year-2018 Thana- JOKIHAT District- Araria

MD. BADIUZZAMA RAHI @ BADIUZZAMA RAHI Son of Md. Israil R/v-
Balua, Ward No. 09, P.S.- Jokihat, District- Araria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate

For the Opposite Party/s : Mr. Anil Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

3 01-05-2023 Heard learned counsel appearing on behalf of the parties.

The accused/petitioner is named in the F.I.R. and apprehend his arrest in connection with Jokihat P.S. Case No. 215 of 2018 registered for the offences punishable under Sections 406 and 420/34 of the Indian Penal Code.

The allegation against the petitioner is to not deposit money of customer with the Bank, being operator of CSC Centre, Maina, District – Araria, associated with the State Bank of India.

Learned counsel appearing on behalf of the petitioner submitted that the written information is not suggesting any details of amount. It is submitted that mere on the basis of



presumption that in future same type of complain may arise, therefore, the CSP Centre license of petitioner was also cancelled. It is pointed out that allegation is purely motivated out of business rivalry to get cancelled the license of the petitioner. While concluding the argument, it is submitted that petitioner is man of clean antecedent and moreover, narration of the information, which is basis of present FIR is not disclosing anything, which may help to stand allegation under Section 406 and 420 of the Indian Penal Code, as raised through the present FIR.

Learned APP for the State, opposes the prayer of bail.

Considering the aforesaid facts and circumstances of the case, as written information which is the basis of FIR is not disclosing any amount and date of occurrence and moreover, the allegation appears to found upon presumption, let above named petitioner, in the event of his arrest or surrender before learned court below within a period of four weeks, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria /concerned Court, where the case is pending in connection with Jokihat P.S. Case No. 215 of 2018, subject to



the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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