

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74850 of 2022

Arising Out of PS. Case No.-502 Year-2021 Thana- MAJHAULIA District- West Champaran

1. SAQULAIN SHAMSI @ SAKLAIN SAMSI SON OF LATE SHEIKH HATIM R/O VILLAGE- BADHAIYA TOLA, P.S.- MAJHAULIYA, DISTRICT- WEST CHAMPARAN, AT PRESENT INSAN JUNIOR PUBLIC HIGH SCHOOL, KAURIHAR CHOWK, RAXAUL, DISTRICT- EAST CHAMPARAN
2. MD. ADIL RAJA @ ADIL RAJA SON OF SAQULAIN SHAMSI @ SAKLAIN SAMSI R/O VILLAGE- BADHAIYA TOLA, P.S.- MAJHAULIYA, DISTRICT- WEST CHAMPARAN, AT PRESENT INSAN JUNIOR PUBLIC HIGH SCHOOL, KAURIHAR CHOWK, RAXAUL, DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar, Adv.

For the Opposite Party/s : Mr.Madhura Nand Jha, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-03-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered
for the offences punishable under Sections 467, 471, 420, 406,
504, 506/34 of the Indian Penal Code.

The prosecution case, in brief, is that the FIR named
accused persons including the petitioners with allurement and
instigation took the informant in his confidence and demanded
required certificates for providing service to the informant's
son at the post of Peskar in Motihari Civil Court and for which



they also demanded Rs. 5,00,000/-. Being influenced and assured by the petitioners and others, the informant anyhow manage to arrange Rs. 5,00,000/-. The informant has further stated that he gave Rs. 1,00,000/- in cash to the co-accused Reena Yasmin for which she granted him slip with her signature. He gave the rest of the sum through cheques. It has been alleged that when informant's son did not get service in Motihari civil court, the informant demanded his money from the accused persons but they refused to pay the same.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that petitioners have taken loan from the informant and due to some problem, they failed to repay the same in time due to which the informant implicated the petitioners in wrong case. Similarly situated co-accused, namely, Rina Yasmin, has been enlarged on bail by a co-ordinate bench of this court vide order dated 10.11.2022 passed in Cr. Misc. No. 15957 of 2022. Petitioner no.1 has one criminal antecedent whereas petitioner no.2 has no



criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, as the similarly situated co-accused has been granted bail, 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 Manjhauliya P.S. Case No. 502 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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