

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82982 of 2019

Arising Out of PS. Case No.-1473 Year-2017 Thana- COMPLAINT CASE District- Araria

1. Anwar Son of Shahid Resident of Village Denga, P.S. Palasi, District Araria.
2. Wasique Son of Shahid Resident of Village Denga, P.S. Palasi, District Araria.
3. Arshad @ Md. Arshad Alam Son of Shahid Resident of Village - Denga, P.S.- Palasi, District - Araria.
4. Jilani Son of Shahid Resident of Village Denga, P.S. Palasi, District Araria.
5. Md. Baharuddin @ Md Bahar Son of Late Islam Resident of Village - Denga, P.S.- Palasi, District - Araria.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Bibi Tasarrum Daughter of Soheli Resident of Village - Denga, P.S.- Palasi, District - Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nadimul Hasan
For the Opposite Party/s : Mr.Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

7 20-07-2023 Heard both sides.

2. Petitioners apprehend their arrest in connection with Complaint Case No.1473-C/2017, registered for the offence punishable under Sections 406 and 420 of the Indian Penal Code.

3. As per complaint, accused persons run a Chit Fund Company in the name of Anwar Cash Committee and assured the complainant to deposit Rs.5,000/- per month for 21 months. The complainant believed such assurance of accused persons



and deposited Rs.81,279/- in the said Company for which the accused persons gave her a receipt of plain paper. When the complainant asked to return her money with interest, the accused persons became furious and started abusing her and drove her.

4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in the present case. Petitioners have got no criminal antecedent as stated in paragraph-3 of the bail petition. It is further submitted that the complainant has not produced any chit of paper showing deposit of money in the said Company. It is also submitted that enquiry witness no.3 is father of the complainant and rest are close relatives of the complainant. It is further submitted that petitioners are ready to deposit the said money, i.e., Rs.81,279/- in the learned court below which amount shall be subject to final outcome of this case.

5. Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioners by submitting that witnesses were examined on oath and they have supported the prosecution case.

6. Taking into consideration the facts aforesaid, let petitioners, above named, in the event of their arrest or



surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Araria in connection with Complaint Case No.1473-C/2017, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

7. The learned court below is directed to accept the bail bond of the petitioners after verifying the fact that petitioners have deposited Rs.81,279/- in the learned court below, which amount shall be subject to final outcome of the instant case.

(Anjani Kumar Sharan, J)

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