

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20981 of 2024

Arising Out of PS. Case No.-738 Year-2021 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Shamsu Joha Son Of Late Sheikh Ali Imam Resident Of Village- Bhawanipur,
Ps- Sikta, Dist- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jafir Aahmad S/o Sheikh Sagir Aahmad R/o Behra, Tola-Jhumka, P.S.-Sikta,
District-West Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhagya Narayan Jha
For the Opposite Party/s : Ms.Veena Kumari Jaiswal
Mr. Sujeet Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

6 07-10-2024 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing on behalf of
the OP No. 2.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 406 and
420 of the Indian Penal Code.

3. The learned counsel appearing on behalf of the
petitioner, at the outset, submits that he is not making any
submissions on merits, rather has instructions to make
submission that petitioner is willing to return an amount of Rs. 5
lakhs to the OP No. 2. It is further submitted that a demand draft
of Rs. 2 lakhs drawn on SBI having DD No. 755736 dated 4-10-



2024 in the name of the OP No. 2, Jafir Aahmad, has been prepared and the same is being handed over to the learned counsel appearing on behalf of the OP No. 2.

4. The learned counsel appearing on behalf of the OP No. 2 accepts the demand draft, but then it is submitted that once the petitioner is granted the privilege of anticipatory bail, he will not return the rest of the amount on which he has agreed, on which the learned counsel appearing on behalf of the petitioner submits that the rest Rs. 3 lakhs shall be paid within a period of 5 months from today.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Complaint Case No. 738 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. However, if the amount of Rs. 3 lakhs as agreed is not paid to the OP No. 2 on or before 9-3-2025, the OP No. 2



shall be at liberty to file an application seeking cancellation of the anticipatory bail granted to the petitioner.

7. The learned counsel appearing on behalf of the OP No. 2, at this stage, submits that in the event if the amount of Rs. 3 lakhs is paid to the OP No. 2 within the time aforesaid, in that event, he will withdraw the instant criminal case against the petitioner.

(Satyavrat Verma, J)

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