

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23177 of 2024**

Arising Out of PS. Case No.-950 Year-2022 Thana- KHAGARIA District- Khagaria

Md Firoz @ Md. Firoj Son of Md. Fahim @ Fahim uddin Resident of
Mohalla- Mirgyaschak Ward No. 09, P.S. and Distt.-Khagaria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Zahida Praveen Wife of Md. Wali Rahmani Resident of vill.-Ishampur, P.S.-
Mufasil, Distt.-Khagaria

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Manoj Kumar Manoj, Advocate
For the State	:	Mr. Brajendra Nath Pandey, APP
For Opposite Party No.2	:	Mr. Pankaj Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 11-07-2024 Heard learned counsels for the parties.

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

3. As per prosecution case, husband of the informant gave Rs. 5,00,000/- to this petitioner as loan and an agreement to this effect was also executed. However, this petitioner refused to return the same.



4. It is submitted by learned counsel appearing on behalf of the petitioner that the present case is counter-blast of Khagaria P.S. Case No. 932 of 2022 dated 03.03.2022, which was lodged by the petitioner against the informant and others. It is further submitted that the allegation of executing the agreement dated 08.04.2021 is false and concocted. Moreover, from bare persual of the F.I.R. it is apparent that dispute between the parties is civil in nature and the alleged offences committed by this petitioner does not give rise to any criminal liability. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State and learned counsel for the informant/Opposite Party No. 2 have vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, nature of dispute and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Khagaria, in connection with



Khagaria P.S. Case No. 950 of 2022, subject to condition as laid
down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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