

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28687 of 2024

Arising Out of PS. Case No.-293 Year-2019 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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MD. IRFAN HUSSAIN @ IRFAN HUSSAIN SON OF MD. DILDAR
HUSSAIN RESIDENT OF VILLAGE- SUTHATI GALI, WARD NO. 11,
DAUDNAGAR, PS- DAUDNAGAR, DIST- AURANGABAD

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. MD. MOINUDDIN @ MUNNA SON OF ABDUL SATTAR RESIDENT
OF VILLAGE- AND PO- NASRIGANJ, WARD NO. 3 PS- NASRIGANJ,
DIST- ROHTAS

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Sunil Kumar Dubey, Advocate
For the State	:	Ms. Rina Sinha, APP
For Opposite Party No. 2:	:	Mr. Yogendra Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 08-07-2024 Heard learned counsels for the parties.

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

3. As per complaint case, on the request of this petitioner, the complainant paid Rs. 16 lakhs to him on assurance that he will return the same in four equal installments and an agreement to this effect was also executed between this petitioner and the complainant but thereafter, the petitioner has refused to return the said amount.

4. It is submitted by learned counsel appearing on



behalf of the petitioner that petitioner is working as a salesman in a ready made garment shop in Daudnagar and the complainant/Opposite Party No. 2 is a money lender and at one point of time, the petitioner had taken a loan from the complainant/Opposite Party No. 2. The petitioner has already refunded the entire amount of loan as well as interest way back but the complainant/Opposite Party No. 2 has been pressurizing the petitioner to pay an additional amount of Rs. 5,000/- towards interest and when the petitioner refused to pay the same, this false and concocted case has been lodged. It is further submitted that in the entire complaint petition, no date, time or mode of payment has been described. Petitioner claims clean antecedents.

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

6. Considering the aforesaid facts and circumstances, nature of accusation 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 Sub Divisional Judicial Magistrate, Daudnagar, District: Aurangabad (Bihar), in connection with Complaint Case No.293 of 2019, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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