

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30221 of 2024

Arising Out of PS. Case No.-1345 Year-2022 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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Syed Tanvir Hussain @ Syed Tanweer Hussain @ S .T. Hussain Son of Late
Syed Khurshid Hussain @ Hasan Resident of Mohalla Moghalpura
Hussainabad P.S. Babbarganj Bhagalpur (Bihar) 812005

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shambhu Kumar Pandit S/o Sri Sipahi Pandit R/o Mohadinagar, P.S.
Babbarganj, District- Bhagalpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Firoz Raza, Advocate
For the Opposite Party/s : Mr. Rajendra Singh, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 20-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Complaint Case No. 1345 of 2022 dated 30.07.2022 instituted
for the offence punishable under Section 420 of the Indian Penal
Code.

3. Allegation against the petitioner is that he took Rs.
5,00,000/- from the complainant to get registered his name in
NGO, but the petitioner failed to do so. When the complainant
asked the petitioner to return the aforesaid money, he refused
and became ready to assault the complainant.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the petitioner never demanded any illegal money from the complainant for registration in NGO. Neither there is any evidence of giving Rs. 5,00,000/- to the petitioner by the complainant nor the complainant has produced agreement paper of Rs. 2,50,000/- wherein the petitioner is party to the said agreement dated 17.12.2020. It is submitted that the petitioner has never given any cheque to the complainant. Learned counsel for the petitioner submits that the since March, 2019, neither the complainant had any grievance against the petitioner nor there was any occasion to file any case against the petitioner. However, after getting accused no. 2 to his side, the conspiracy was hatched up and the entire case has been planned. The complainant has completely failed to bring even a chit of paper to show that the petitioner owes a debt to the complainant. Learned counsel for the petitioner submits that the complainant being the President of the said trust, did nothing to open the bank account and there is no bank account of this trust. It is, therefore, clear that the complainant has manufactured the story of deposition of Rs. 50,00,000/-. Learned counsel for the petitioner submits that the petitioner is a journalist and law-abiding citizen of the State and belongs to a



prestigious family of the city as well. Learned counsel for the petitioner further submits that the learned court below has rejected the bail application of the petitioner only on the basis that the petitioner is named in the F.I.R. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Complaint Case No. 1345 of 2022, he will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st class, Bhagalpur subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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