

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32701 of 2024

Arising Out of PS. Case No.-477 Year-2023 Thana- SHERGHATI District- Gaya

1. Md Dilshad @ Dilshad Alam Son of Late Makbul Alam Resident of Village - Gopalpur, PS Sherghati, Distt.- Gaya.
2. Maimun Nisha Widow of Late Makbul Alam Resident of Village - Gopalpur, PS Sherghati, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Ataul Haque

For the Opposite Party/s : Mr.Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 25-06-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Sherghati P.S. Case No. 477 of 2023 instituted for the offences under Sections 420, 406, 467, 468, 471, 379 and 34 of the Indian Penal Code.

3. As per prosecution case, the allegation against the petitioners is of cheating and fraudulently withdrawing Rs. 2,80,000/- from the saving bank account of the informant on several dates.

4. Learned counsel appearing on behalf of the petitioners have submitted that petitioners are innocent and have



committed no offence. The father of Petitioner no. 1 and informant are full brothers. There is admitted land dispute between the parties. There has been delay of about four months in lodging the FIR. There is no specific allegation against the petitioners. The other co-accused has already been granted regular bail by this Court vide order dated 18.03.2024 passed in Cr. Misc. No. 19708 of 2024. It is next submitted that the petitioners have no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Court below/concerned Court in connection with Sherghati P.S. Case No. 477 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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