

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47046 of 2023

Arising Out of PS. Case No.-1580 Year-2019 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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Md. Ilyas Ansari @ Ilyas Ansari Son Of Sultan Ansari Resident Of Village
And P.O. - Karamnasa Khajura Bajar Kaimur (BHABHUA), Police Station -
Durgawati, District - Kaimur (BHABHUA)

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Shamiun Khatoon @ Shamiun Nesha Wife Of Md. Niyamtulla Khan
Resident Of Village And P.O. - Karari, Police Station - Durgawati, District -
Kaimur (BHABHUA)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar
For the Opposite Party/s : Mr. Shantanu Kumar

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

12 07-03-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No. 1580/2019, Registration
No. 2156/2022, registered for the offences punishable u/s 420 of
the Indian Penal Code.

3. As per the prosecution case, the husband of the
complainant had given Rs. 1,40,000/- as loan to the accused-
petitioner which was not returned despite several request. It is
further alleged that the petitioner with dishonest intention had
given a cheque of Rs. 1,40,000/- to the husband of the



complainant. However, the cheque was dishonoured and returned back by the concerned bank.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner has got no criminal antecedent as stated in para 3 of the bail petition. The petitioner has no concern with the seller of the land registered as per para 3 of the complaint except to mitigate between the party. No offence u/s 420 of the Indian Penal Code is made out against the petitioner as the petitioner had no intention to cheat right from the beginning.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Kaimur, Bhabhua in connection with Complaint Case No. 1580/2019, Registration No. 2156/2022, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further



condition:

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, his bail bonds are liable to be cancelled.

7. This application stands allowed.

(Chandra Prakash Singh, J)

Ranjeet/-

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