

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63313 of 2023**

Arising Out of PS. Case No.-177 Year-2021 Thana- DARBHANGA COMPLAINT CASE

District- Darbhanga

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1. Md. Rizwan Son Of Late Izharul Haque Resident Of Village- Adalpur, Ps- Sadar, Distt- Darbhanga
 2. Nikhat Parween Wife Of Md. Rizwan Resident Of Village- Adalpur, Ps- Sadar, Distt- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md Sarvar Mahmood @ Azam Son Of Late Dr Md Idris Resident Of Village- And Po- Adalpur, Ps- Sadar, Distt- Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kedar Jha
For the Opposite Party/s : Mr. Dinesh Singh

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 19-01-2024 Heard learned counsel for the petitioners and learned A.P.P. for the State and learned counsel for the complainant.

2. The petitioners apprehend their arrest in connection with Complaint Case No. 177 of 2021, registered for the offences punishable under Sections 406, 418, 420, 467, 468 of the Indian Penal Code.

3. As per the F.I.R., allegation against the petitioners is that they took the consideration money of Rs. 2,70,000/- from the complainant and not executed the sale deed in favour of the



complainant.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. Petitioners have got no criminal antecedent mentioned in Para 3 of the bail application. He further submits that petitioners are agreed to deposit Rs. 2,00,000/- in five equal installments within a period of five months.

5. Learned APP for the State as well as learned counsel for the complainant opposed prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case and the statement made on behalf of the petitioners, let the above named petitioners, be released on **provisional bail for six months**, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/-(Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/ successor Court in connection with Complaint Case No. 177 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. The learned Court shall confirm the provisional bail



of the petitioners after satisfying that the petitioners have already paid Rs. 2,00,000/- to the complainant within a period of five months.

8. Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

Ranjeet/-

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