

Arising Out of PS. Case No.-3240 Year-2022 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

... .. Petitioner/s

1. The State of Bihar
2. Sabbir Ahmad Son of Late Izhar Hussain R/o Village- Siswa PS - Banjariya Dist- East Champaran A/P- Pakri Bajar, Bisatipatti PS - Town Motihari Dist- East Champaran

... .. Opposite Party/s

For the Petitioner/s : Mr. Anuj Kumar, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, A.P.P.

2 20-09-2024 1. Heard learned counsel for the petitioner and Mr. Rabindra
Kumar learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 406, 420, 504, 506 and 120B of the Indian Penal Code.

3. Learned counsel for the petitioner submits that Sonam Kumari had approached this Court seeking anticipatory bail by filing Cr. Misc. No. 40632 of 2024 and was granted the privilege of provisional anticipatory bail by an order dated 02.09.2024 with certain conditions. It is further submitted that Sonam Kumari is returning the amount which she had received from the complainant. It is next submitted that petitioner being the brother of Sonam Kumari also came to be implicated. It is also submitted that when the case of Sonam Kumari was taken up, the merit of the case was also discussed in detail.



It is further submitted that petitioner be also granted the same privilege.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Complaint Case No. 3240 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. However, it is made clear that if the provisional anticipatory bail of Sonam Kumari is confirmed in that event the provisional anticipatory bail granted to the petitioner shall also be confirmed, but if the provisional anticipatory bail of Sonam Kumari is not confirmed in that event the learned trial court shall be at liberty to cancel the provisional anticipatory bail of the petitioner also.

(Satyavrat Verma, J)

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