

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21640 of 2025

Arising Out of PS. Case No.-161 Year-2018 Thana- PARIHAR District- Sitamarhi

Md. Shakil Anwar @ Md. Sakil Anbar son of Md. Anzarul Haque Resident of village- Ekdandi, PS- Parihar, District- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Fazilat Ata wife of Md. Faiyaz Resident of village- Ekdandi, PS- Parihar, District- Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Dwij Raj, Advocate.
For the Informant	:	Mr. Ayush Kumar, Advocate.
For the State	:	Mr. Ajit Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 20-08-2025 Heard Mr. Dwij Raj, learned counsel appearing on behalf of the petitioner; Mr. Ayush Kumar, learned counsel for the informant and Mr. Ajit Kumar, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Parihar P.S. Case No. 161 of 2018 registered for the offence punishable under Sections 406, 420, 120(B)/34 of the Indian Penal Code.

3. As per the allegation made in the F.I.R., the petitioner along with other co-accused namely Md. Khalibayujjama had deceived the informant fraudulently on the pretext of getting the informant's son admitted in Bio-Tech and extorted money amounting to Rs.95,000/- which was transferred



in the account of co-accused Md. Khalibayujjama.

4. Learned counsel appearing on behalf of the petitioner submitted that the petitioner is innocent and he has committed no offence as alleged. Petitioner is the friend of co-accused Md. Khalibayujjama and the amount of Rs. 95,000/- has been transferred in the account of Md. Khalibayujjama. In this regard, the petitioner has made specific statement in Para-10 of the bail application. The petitioner has clean antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Having considered the rival submissions made on behalf of the parties, as well as, the allegation made in the F.I.R. and in view of the specific statement made in Para-10 of the bail application that entire amount has been transferred into the account of the co-accused Md. Khalibayujjama and the petitioner who is the friend of said co-accused has been roped in the present case on the said accusation, I find that the petitioner who is not the beneficiary has prima facie made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from



today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Sitamarhi in connection with Parihar P.S. Case No. 161 of 2018, subject to the condition as laid down under Section 438(2) Cr.P.C / 482(2) BNSS.

8. The District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para- 3 of the bail petition, this order will automatically lose its force.

9. The bail application stands disposed of.

(Purnendu Singh, J)

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