

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68896 of 2024

Arising Out of PS. Case No.-189 Year-2024 Thana- MUFFASIL District- West Champaran

1. Sekh Manirul @ Sekh Manirul Hak Late Vasir Ali, R/o vill - Barbat Pasrain tola Beldari, P.s. - Bettiah Muffasil, Distt. - West Champaran at Bettia
2. Mohammad Khuram S/o Sekh Manirul @ Sekh Manirul Hak R/o vill - Karnapatti, P.S. - Chanpatia, Distt - West Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Arbind Kumar Singh, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-01-2025 Heard Mr. Arbind Kumar Singh, the learned counsel for the petitioners, the learned counsel for the informant and Mr. Arun Kumar Pandey, the learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Bettiah Muffasil PS Case No. 189 of 2024, FIR dated 06.04.2024, registered for the offences punishable under Sections 406 and 420 of the Indian Penal Code.

3. According to the prosecution case, the petitioners fraudulently took money from informant under the pretext of selling him a land and they are neither returning him his money nor selling the land.



4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case and the allegation levelled in the FIR is false and fabricated and the petitioners have not committed any offence as alleged in the FIR.

5. Learned counsel for the petitioners fairly submits that they have received only Rs. 3,00,000/- (Rupees three lakhs only) from the informant and they are ready to pay the said amount to the informant.

6. Learned counsel for the informant has no objection to the aforementioned contention, but she fairly submits that for the rest amount will depend on the outcome of the result of the case.

7. Considering the aforesaid facts and circumstances, let the petitioners, above-named, in the event of their arrest or surrender before the learned trial Court, within a period of four weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, West Champaran at Bettiah, where the case is pending in connection with **Bettiah Muffasil PS Case No. 189 of 2024**, subject to the



conditions as laid down under Section 438(2) of the Cr.P.C. / Section 482(2) of the BNSS, 2023 and also the following conditions:

(i). Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the learned trial Court and shall remain physically present as directed by the learned trial Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the learned trial Court.

(ii). If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iii). And further condition that the learned trial Court shall verify the criminal antecedent of the petitioners and in case, at any stage, it is found that the petitioners have concealed their criminal antecedent, the learned trial Court shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(iv). Petitioner shall pay Rs. 3,00,000/- (Rupees three lakhs only) at the time of furnishing the bail bond by way



of demand draft in favour of the complainant / informant
namely, Kumar Sarvesh and the learned trial Court is directed to
hand over the said demand draft to the complainant / informant
or his representative.

(Rajesh Kumar Verma, J)

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