

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69883 of 2024

Arising Out of PS. Case No.-418 Year-2023 Thana- DAGARUA District- Purnia

1. Jahir @ Jahir Ansari Son of Jeetan Ansari Resident of Marghiya Tola Mansoori, P.S. - Barari, District - Katihar
2. Iliyas @ Md. Ilyas Son of Late Badruddin Ansari Resident of Hasanganj, P.S. - Hasanganj, District - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sanjeev Kumar Singh, Adv.
For the Opposite Party/s	:	Mr.Chandra Sen Prasad Singh, APP
For the Informant	:	Mr. Dharendra Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

4 04-07-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State as also learned counsel for the Informant.

2. The petitioners apprehend their arrest in connection with Dagarua P.S. Case No. 418 of 2023 instituted for the offence under Sections 420, 406, 467, 468, 471 & 34 of the Indian Penal Code.

3. Prosecution case in short is that accused persons including the petitioners have hatched conspiracy against the petitioners on the pretext of doubling the money and cheated an amount to the tune of Rs. 20 lakhs.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in the present case with false and frivolous allegations. There is no



specific or direct allegation of any overt act against the petitioners rather the same is general and omnibus in nature. The petitioners have not committed any offence as alleged in the F.I.R. Not a single independent witness has come forward to corroborate the prosecution case of the Informant against the petitioners. Learned counsel for the petitioners further submits that the matter has now been compromised between the parties and, for the same, a joint compromise petition has also been filed before the learned court of Judicial Magistrate, 1st Class, Purnia on 27.05.2024. It is also submitted that dispute involved in the present case is purely civil in nature. It is lastly submitted that charge sheet has already been submitted in this case. The petitioners have no criminal antecedent as has been stated in paragraph no.3 of the present anticipatory bail application. Charge-sheet has been submitted in this case.

5. Learned counsel for the petitioners further submits that the co-accused Balkishan Bhagat has been granted regular bail by this Court vide order dated 18.04.2024 passed in Cr. Misc. No. 27581 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.



7. In this case, learned counsel for the Informant has filed counter affidavit. Paragraph no.3, being relevant, reads as follows:-

“3. That it is submitted and stated here that the informant has already received his cheated amount by the accused persons as well as the petitioners and as such the informant has now no objection to grant the anticipatory bail to the petitioners.”

8. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioners as also taking into account the statement of the Informant, quoted above, let the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each 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 Dagarua P.S. Case No. 418 of 2023, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

(Rudra Prakash Mishra, J)

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