

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80604 of 2024

Arising Out of PS. Case No.-175 Year-2019 Thana- GOGRI District- Khagaria

1. Md. Salauddin Khan S/O Md. Nijamuddin Khan Resident of Village- Sakhua, P.O- Babhangama, P.S- Triveniganj, Distt.- Supaul, PIN- 851239.
2. Md. Jamal @ Md. Jamal Ansari S/O Md. Nijamuddin Khan Resident of Village- Sakhua, P.O- Babhangama, P.S- Triveniganj, Distt.- Supaul, PIN- 851239.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Idrish Khan S/O Late Suleman Khan @ Pachkauri Khan R/O Village- Raatan, P.S- Gogri, Distt.- Khagaria, Mob No. 9523666639.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Bijay Shankar Choubey, Advocate
For the Opposite Party/s :	Mr. Ram Sevak Choudhary, APP
For the Informant :	Mr. Rajesh Kumar, Advocate
	Mr. Nishant Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-01-2025 Heard the parties.

2. The petitioners apprehend their arrest in connection with Gagori P.S. Case No. 175 of 2019, G.R. Case No. 1376 of 2019, registered for the offence punishable u/s 406, 420, 34 of IPC and Section 138 of N.I. Act.

3. As per prosecution case, accused persons took money from the informant and assured that they will return it with interest. When informant demanded his money, petitioner no.1 gave a cheque of Rs.40 lakh. When informant deposited the cheque in bank, the cheque was bounced. Thereafter, accused



persons refused to return money.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to ulterior motive. No such occurrence, in the manner as alleged, has ever taken place. Petitioner no. 2 is son-in-law of the informant and petitioner no. 1 is the brother of petitioner no. 1. There is civil dispute/ money dispute between the parties. Earlier a complaint was lodged which was sent to police for investigation. Petitioners have no criminal antecedent as mentioned in para 3 of bail application.

5. Learned APP for the State opposed the prayer for bail by submitting that notice under Section 82 and 83 of Cr.P.C. has been issued against the petitioner.

6. Considering the aforesaid facts and circumstances and nature of allegation, I am not inclined to enlarge the petitioners on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

7. This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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