

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49947 of 2015

Arising Out of PS.Case No. -152 Year- 2014 Thana -FORBESGANJ District- ARRARIA

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1. Ali Muzahid @ Gufran Son of Jasimuddin Resident of Rahika Tola,
Ward No. 17, Araria, P.S. and District - Araria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar

For the Opposite Party/s : Mr. Shailendra Kr. 2(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

2 14-12-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Forbesganj
P.S. Case No. 152 of 2014 registered for the offences punishable
under Sections 419, 420, 467, 468, 471/34 of the Indian Penal
Code.

On the basis of forged voter identity card Upesh Prasad
Mandal was taking benefit of old age pension and other welfare
schemes under BPL and on interrogation he told that the said
identity card was prepared at the shop of the petitioner and
accordingly, raid was conducted and from shop of the petitioner
11 voter identity card and other objectionable documents were
recovered.



Submission is of false implication at the instance of his enemies and professional adversaries, not a single objectionable paper or forged document was recovered from the photo stat shop of the petitioner. All the voter identity cards are genuine which were given to him by the concerned persons to make available photo copy but due to electric failure photo copies could not be prepared and in the mean time raid was conducted. All the concerned persons have sworn affidavit. Further forms of driving license, mark sheets are also not forged or fabricated document, co-accused Upesh Prasad Mandal has wrongly given the name of the shop of the petitioner. All the witnesses are the members of raiding party and without any proper investigation chargesheet has been submitted and there is no chance of tampering with prosecution evidence. The petitioner is suffering in custody since 21.09.2015 having no criminal antecedent.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering the period of detention, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 152 of 2014, subject to

the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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