

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31185 of 2016

Arising Out of PS.Case No. -51 Year- 2016 Thana -GOGRI District- KHAGARIA

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1. Sahbaz Alam Son of Late Mohiuddin Resident of Village- Rampur Ward
no. 6, Police Station- Gogri, District- Khagaria..... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Binay Kumar

For the Opposite Party/s : Mr. Smt. Sahin Begam

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 08-09-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Gogri P.S. Case
No. 51 of 2016 registered for the offences punishable under Sections
420, 406, 467, 468 and 504 of the Indian Penal Code.

Allegedly, the petitioner and other co-accused came at the
door of the informant for opening life insurance policy and on that
pretext received Rs. 77,000/- and misappropriated the same.

Submission is of false implication and that the petitioner has
no concern with Bajaj Allianz Company Ltd., he runs a medical shop to
earn livelihood, the FIR has been lodged after much delay, the
petitioner has lodged Gogri P.S. Case No. 170 of 2015 against the
informant of this case and to counter the same the present case has been
lodged. The petitioner is suffering in custody since 11.06.2016. During
investigation independent witnesses Faiyaz Alam, Sarfraj Alam and
Sanjay Kumar vide paragraphs 39, 40 and 41 of the case diary have

stated regarding innocence of the petitioner and false implication, there is no chance of tampering with prosecution evidence and, as such, the petitioner deserves sympathetic consideration to which the learned APP opposes by submitting that other witnesses have supported the prosecution version.

In the facts and circumstances stated above, considering the period of detention and further considering that there is no chance of tampering with prosecution evidence, 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 Sri Barjesh Kumar, J. M. Ist Class, Gogri, Khagaria in connection with Gogri P.S. Case No. 51 of 2016, 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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