

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5874 of 2016

Arising Out of PS.Case No. -523 Year- 2015 Thana -SHASTRINAGAR District- PATNA

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1. Jai Prakash Kumar, S/O Rajesh Prasad Sahani, Resident of Village-
Bhuwan Chapra, P.S.- Chakia, District- East Champaran..... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anand Kishore Choudhary

For the Opposite Party/s : Mr. Ram Sumiran Rai(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 04-04-2016 Heard learned counsel for the petitioner and learned APP
for the Sate.

The petitioner seeks bail in connection with Shastri Nagar P.S. Case No. 523 of 2015 registered for the offences punishable under Sections 467, 468, 471, 419, 420, 120B of the Indian Penal Code and Section 14 of Foreigner Act.

Allegedly, the petitioner has helped Sheikh Farukh Alam in getting the supporting documents for processing the application for Passport, though the said Farukh Alam being the resident of Bangladesh tried to get the Passport of India.

Submission is of false implication and that the petitioner has been made victim of circumstances, nothing has been recovered from possession of the petitioner, without any legal and tangible material he is suffering in custody since 23.09.2015, no offence as alleged is made out against the petitioner, during

investigation also nothing has come that as to how the petitioner helped Murtaza Ali @ Farukh Alam in getting the supporting documents for processing the application for Passport, without any legal and tangible material chargesheet has already been submitted and there is no chance of tampering with prosecution evidence and as such he deserves sympathetic consideration to which learned APP opposes.

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 Smt. Indrani Kisku, J. M. Ist Class, Patna in connection with Shastri Nagar P.S. Case No. 523 of 2015, 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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