

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32916 of 2017

Arising Out of PS.Case No. -44 Year- 2017 Thana -AGAMKUAN District- PATNA

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Sajjad Ahmad, son of late Md. Kallu, resident of Mohalla-Sharifganj, P.S.-
Katihar, District-Katihar.

.... Petitioner/s

Versus

1. The State of Bihar &
2. The State of Bihar through Vigilance Department, Bihar, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Musowir, Advocate

For the Opposite Party/s : None

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 11-10-2017

Heard learned counsel for the petitioner. None
appeared on behalf of the State in spite of repeated calls.

During hearing of the bail petition, it was mentioned
that counsel Mr. Ajay Mishra, APP, is on leg in some other Court
and on that ground prayer has been made to adjourn the case.
This Court does not feel proper to give adjournment on such
ground.

Petitioner seeks bail in Agamkuan P.S. Case No.44
of 2017 (Special Case No.11 of 2017) instituted for the offence
under Section(s) 419, 420, 467, 468, 471, 120-B/34 Indian Penal
Code, Section 66-B BT Act, Sections 7, 8, 9, 13(i)(a)(d)(c) read
with Section 13(2) of the Prevention of Corruption Act.

It has been submitted that petitioner is in custody
since 29.02.2017. He is not named in the First Information



Report. His name has been taken by co-accused, namely, Ramesh and Ashish Kumar in their confessional statement. There is no recovery of any incriminating article from the possession of the petitioner. It is further submitted that three persons, namely, Pawan Kumar, Vipin Kumar and Navnit Kumar were apprehended by the police and some incriminating articles were also recovered from the possession of those petitioners.

It is mentioned in the impugned order that name of this petitioner has been disclosed by co-accused, Ramesh and Ashish Kumar, in their confessional statement before the police. It is further mentioned that the police also recorded confessional statement of this petitioner.

From the written report, it is apparent that he is not named in the First Information Report. There is no recovery of any incriminating article from his possession. It is mentioned in para 3 of the bail petition that the petitioner has clean antecedent. Petitioner is in custody since 29.02.2017.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released on bail on furnishing bail bond of ₹10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the **Special Judge, Vigilance, 1st, Patna**, in



connection with **Agamkuan P.S. Case No.44 of 2017 (Special Case No.11 of 2017)**, subject to the condition that both the bailors shall be close relative of the petitioner.

(Sanjay Priya, J)

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