

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30557 of 2018

Arising Out of PS.Case No. -71 Year- 2018 Thana -LAHERIASARAI District- DARBHANGA

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Aquil Ahmed, S/o Md. Habib, R/o Mohalla- Shahganj Benta, P.S.-
Laheriasarai, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hemant Kumar Jha, Advocate.

For the Opposite Party/s : Smt. Anita Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 29-06-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Laheriasarai**
P.S. Case No. 71 of 2018 instituted for the offence under Sections
420, 467, 468, 471, 120(B) of the Indian Penal Code and Sections
12(ii) and (1-A(a) of the Passport Act, 1967.

The allegation against the petitioner is that he is one
of the witness in the application submitted for issuance of Passport
in the name of Ricky Kumar Yadav. It is further alleged that when
the informant went to verify the address given in the Passport
form, it was found that applicant of the passport namely Ricky
Kumar Yadav belongs to Nepal.

Learned counsel for the petitioner has submitted that
Ricky Kumar Yadav was known to the petitioner right from his



childhood and was residing in the same Mohalla and on the basis of Aadhar card, Driving license and certificate of Ward Councilor in the name of Ricky Kumar Yadav mentioning the same address, the petitioner was persuaded to be a witness on the passport form. Xerox copies of Aadhar card, Driving license and certificate of Ward Councilor issued in favour of Ricky Kumar Yadav are enclosed as Annexure-2 series.

Case diary has been received.

Learned A.P.P. after looking into the case diary has submitted that there is no mention of any criminal antecedent of petitioner in the case diary.

It is mentioned in paragraph-3 of the bail petition that petitioner has no criminal antecedent.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Laheriasarai P.S. Case No. 71 of 2018** he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, Darbhanga**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors



should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

S.Ali/-

(Sanjay Priya, J)

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