

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4829 of 2019

Arising Out of PS. Case No.-246 Year-2015 Thana- KOTWALI District- Patna

Md. Sonu Quraishi, son of Md. Mokhtar Kuraishi, Resident of Mohalla-Jagjeevan Nagar, Near Chitkohra Pul, P.S.- Gardanibagh, Distt. Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Section officer, Legal Cell, Patna High Court, Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha, Advocate.
For the Opposite Party/s : Dr. Ajeet Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 05-02-2019 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in **Kotwali P.S. Case No. 246 of 2015**, instituted for the offence under Section(s) 181, 193, 468, 471, 420 and 120B of Indian Penal Code.

The First Information Report has been lodged by the informant vide Memo No. 29020/2015/Legal Cell, Patna High Court, Patna, as per direction of this Hon'ble Court contained in Cr. Misc. No. 28622 of 2014 dated 1.4.2015 levelling allegation against the petitioner of making interpolation in the contents of First Information Report of Kotwali P.S. Case No. 304 of 2013 as well as in the impugned order passed by learned Sessions Judge-Xth, Patna, in B.P. No.



3534 of 2014 and also for playing fraud with the Hon'ble Court for obtaining bail by him on the basis of forged and fabricated document and also by using name and forged signature as well as A.O.R. No. 03660 of learned counsel Mr. Umesh Kumar Singh, Advocate, Patna High Court. The First Information Report has accordingly been filed by the informant on the basis of the order dated 1.4.2015 passed by coordinate Bench of this Court in Cr. Misc. 28622 of 2014.

Counsel for the petitioner has made specific statement in paragraph-6 of the bail petition that he was never accused in Kotwali P.S. Case No. 304 of 2013 under Section 392 of the Indian Penal Code. He was neither named nor remanded in the said case. Somebody has played fraud with him by filing bail petition on his behalf by Cr. Misc. 28622 of 2014 and when the case was called out, no one had appeared on his behalf. Therefore, the case was dismissed for non-prosecution.

It would be apparent from the impugned order that petitioner is in custody since 21.5.2018.

Learned A.P.P. has submitted that petitioner has criminal antecedent.

Keeping in view the period spent by the petitioner in custody and petitioner was not accused in Kotwali P.S. Case No.



304 of 2013, prayer for bail of the petitioner is allowed. Let the petitioner above named, be released on 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, Patna**, in connection with **Kotwali P.S. Case No. 246 of 2015**, subject to the condition that both the bailors will be close relatives of the petitioner.

(Sanjay Priya, J)

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