

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59444 of 2018

Arising Out of PS. Case No.-328 Year-2018 Thana- BHAGWAN BAZAR
District- Saran

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Jahangir @ Abdullah Siddiqui @ Abdullah Son of Md. Jamaluddin,
resident of Mohallah- Gudri, Shekh Toli P.S.- Bhagwan Bazar, District-
Saran.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Md. Anis Akhtar, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

8 21-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 420 and 379 of the Indian Penal Code
registered in connection with Bhagwan Baxzar P.S. Case No. 328
of 2018.

3. It is submitted that the petitioner has been falsely
implicated on mere suspicion, except which there is no other
material to connect the petitioner with the alleged occurrence. It
is submitted that upon coming to know of the F.I.R. having been
instituted in which the petitioner has been named, his mother
has filed an application dated 05.09.2018 before the
Superintendent of Police, Saran furnishing a photograph of the



petitioner with a request for verification and identification of the person seen in the CCTV footage inside the ATM cubicle. Petitioner is an accused in one prior case of different nature.

4. Learned APP on the other hand opposes the anticipatory bail petition with reference to the case diary, submitting that the petitioner has been named in the F.I.R. and witnesses in paragraphs-7 and 8 of the case diary have stated that the petitioner had been seen near the ATM.

5. Pursuant to order dated 31.01.2019, a report has been received from the Superintendent of Police, Saran in which it is stated, inter alia, that CCTV footage were shown to the informant in which she has raised suspicion against one of two boys. On the basis of still photograph extracted from the CCTV footage, inquiries are on going for identification of the boy seen in the CCTV footage but has yet to be identified.

6. Be that as it may and considering that the informant has not identified the petitioner after being shown the CCTV footage, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran in connection with Bhagwan Bazar P.S. Case No. 328 of 2018,



subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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