

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50437 of 2019**

Arising Out of PS. Case No.-123 Year-2019 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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SYED ATA FAIZAL Son of Late Md. Syed Mustafa @ Late Syed Ghulam
Mustafa Resident of Nawagarhi, Ram Sagar, P.S.-Vishnupad, District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rashid Izhar

For the Opposite Party/s : Mr.Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 14-08-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 406, 420, 467, 468, 471 and 120(B) of the Indian Penal Code registered in connection with Kotwali (Tilkamanjhi) P.S. Case No. 123/2019.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion and on the misconception that the petitioner was the owner of the company in question merely on the basis of the name 'Ata' shared by them. As a matter of fact Director of Ata Electric Limited Company is Syed Md. Shadab with whom the petitioner has no concern. Moreover, a sum of Rs. 92,000/- admittedly has been deposited by the informant in the bank account of Syed Md. Shadab and has not been paid to the petitioner. Subsequently the informant of Begusarai P.S. Case No. 79/2019 in the backdrop of which the petitioner has been implicated, has in his deposition stated that the matter has been amicably settled with the petitioner as he was himself a victim of Syed Md. Shadab (Annexure-2). Except the aforesaid Begusarai P.S. Case No. 79/2019 the petitioner claims clean antecedents.



4. Be that as it may, 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 CJM, Bhagalpur, in connection with Kotwali (Tilkamanjhi) P.S. Case No. 123/2019, 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 co-operate 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. 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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