

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17489 of 2020**

Arising Out of PS. Case No.-185 Year-2019 Thana- KOCHADHAMAN District- Kishanganj

MD. NAJIMUDDIN @ MD. NAJIM @ NAJIMUDDIN Son of Late
Salimuddin Resident of Village- Saptia, Bishanpur, P.S.- Kochadhaman,
District- Kishanganj.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 23-09-2020 Heard learned counsel for the petitioner and Mr.

Akhileshwar Dayal, learned A.P.P. Incharge for the State in

absence of Mr. Amitesh Kumar, learned A.P.P.

The petitioner in the present case is seeking pre-arrest
bail in connection with Kochadhaman P.S. Case No. 185 of
2019 registered for the offences punishable under Sections 406,
420/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
allegation against the petitioner is that he had received Rs.
1,80,000/- from the informant for arranging his Visa to Dubai
but later on the informant alleged that the petitioner had given a
wrong Visa because of which he had to return back within few
days. Learned counsel submits that in course of investigation no
witness has come forward to support the allegation as nobody



has seen the alleged money transaction, moreover it has also come in course of investigation that the petitioner had got tourist Visa on which he had gone to Dubai but he was looking for working Visa. Thus, it is not a case of fabrication of any forged Visa. It is further submitted that the petitioner has otherwise no criminal antecedent.

Although learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner but considering the facts and circumstances of the case, there being no witness substantiating the allegation of payment of Rs. 1,80,000/- to the petitioner and moreover the Visa for Dubai has not been found forged and it was a Tourist Visa, in the nature of allegations, let the petitioner above-named in the event of his arrest or surrender within a period of four weeks from today in connection with Kochadhaman P.S. Case No. 185 of 2019 be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when



required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

