

IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr. Misc. No. 21290 of 2020

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Md. Mohid @ Md. Alam @ Moeid Alam, S/o Md. Jafir, Resident of
 Bakhtiyarpur, Near Sudha Hospital, P.S.-Bakhtiyarpur, District-Patna.
 Petitioner

Versus

The State of Bihar

.. .. Opposite Party

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Appearance :

For the Petitioner : Mr. Samir Kumar, Advocate
 Mr. Abhimanyu Deo, Advocate
 Mr. Saurabh Singh, Advocate
 For the Respondent State: Mr. Shyameshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 21-07-2020 Heard Mr. Samir Kumar, learned counsel appearing
 on behalf of the petitioner and Mr. Shyameshwar Dayal, learned
 Additional Public Prosecutor, for the State of Bihar.

This application for grant of anticipatory bail arises
 out of Phulwaria P.S. Case No. 174 of 2019, registered for the
 offence punishable under Sections 406, 409 and 420 of the
 Indian Penal Code.

It is the case of the prosecution that the informant,
 who deals in business of selling fruits, had supplied fruits to one
 Md. Perwez Alam on credit worth Rs.2,48,328/-. Md. Perwez
 Alam, however, failed to pay the amount. Allegedly, he had
 concealed his identity. His real name, according to the case of
 the prosecution as disclosed in the First Information Report, is
 Md. Mohid, the petitioner.



Considering the nature of allegation, it *prima facie* appears that the dispute is of civil nature, which may have criminal liability also.

Considering the facts and circumstances, a case for grant of anticipatory bail is made out.

This application is accordingly allowed.

Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, 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 the learned A.C.J.M.-1, Begusarai, in Phulwaria P.S. Case No. 174 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

It is indicated that defect, if any, shall be removed within two months.

Since there is a lock down, the Court has considered it appropriate to adopt following procedure for communication of the present order :-



(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be communicated to me on my e-mail I.D. by the Secretary.

(ii) The corrected copy of the order shall be transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order, duly signed by me, shall be preserved in my residential-office for documentation and future use, if any.

(iv) Let a copy of the order be communicated to the learned Court below through e-mail or any other appropriate electronic mode by the Registry.

Let steps be taken by the Registry for uploading of the present order without compromising with the norms of social distancing.

(Chakradhari Sharan Singh, J)

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