

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34622 of 2020

Arising Out of PS. Case No.-315 Year-2019 Thana- BETTIAH CITY District- West
Champaran

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Naseer Alam son of Sk. Jalil @ Jalil Mian Resident of Village- Parsa, P.S.-
Majhauria, District-West Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s	:	Mr. Ansuman Singh
		Mr. Ramakant Yadav
For the Opposite Party/s	:	Mr. Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 23-12-2020 Heard Mr. Ansuman Singh, learned counsel for

the petitioner and Mr. Yogendra Kumar, learned APP for the

State.

The petitioner seeks bail in connection with

Bettiah Town P.S. Case No. 315 of 2019 (G.R. No.

1583/2019) instituted for the offences under Sections 406

and 420 of the Indian Penal Code.

It has been alleged in the First Information Report

that co-accused Bibi Akhtari Begum had executed a power of

attorney in favour of the informant for conveying a plot of

land belonging to her for a consideration amount of Rs.



Thirty Two Lakhs. Out of the aforesaid consideration amount, Rs. Sixteen Lakhs had been given in advance but to the dismay of the informant, he found that the land had already been sold in the year 1996. Along with the co-accused Bibi Akhtari Begum, her husband and her son, who is petitioner in the present petition have also been made accused.

In the First Information Report, the allegation against the petitioner is of counting the money which was given by the informant as advance.

The petitioner cannot escape the liability of prosecution only by saying that he had only counted the money on behalf of his mother and that the agreement was between the informant and his mother.

The fact that the father of the petitioner has been granted bail does not persuade this Court for exercising discretion in granting bail to the petitioner.

However, regard being had to the fact that the petitioner has remained in custody since 05.12.2019 and there is no likelihood of the Trial of this Case being



concluded in the near future, the petitioner, above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, in connection with Bettiah Town P.S. Case No. 315 of 2019 (G.R. No. 1583/2019).

(Ashutosh Kumar, J)

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