

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30613 of 2021

Arising Out of PS. Case No.-228 Year-2019 Thana- MAJHAULIA District- West Champaran

AZAD ALAM Son of Manjur Alam Resident of Village- Karanpura, P.S.-
Manjhagadh, District- Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Dwivedi, Advocate

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video
Conferencing and the Advocates joined the proceedings through
Video Conferencing from their residence.)

2 31-08-2021

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for
the offence punishable under
Sections 413,414,419,420,467,468,471,472,379 and 120B
of the Indian Penal Code and Section and Section 66 of the IT
Act.

Informant, who is a police officer, has stated that on
22.05.2019 at about 13:30 p.m., when he along with other police
personnel reached near S.B.I. Majhauria Branch during
patrolling, they saw 10-12 boys in suspicious condition and on
seeing the police party, they started to flee away, however, on
being chased, 5 boys were apprehended and rest managed to

flee away. The apprehended accused persons also disclosed the name of other accused persons who managed to flee away. On search ATMs, mobile phones, PAN cards and cash etc. were recovered from the possession of apprehended accused persons and they disclosed that they used to work under the guidance of this petitioner and have cheated several persons by withdrawing money from their accounts and committed cyber crime.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. It has been submitted that name of the petitioner has surfaced in this case on the confessional statement made by the co-accused and except said confessional statement, there is no any other incriminating material against the petitioner. It is further submitted that similarly placed other co-accused persons have already been granted bail by different co-ordinate Benches of this Court. Petitioner is in custody since 27.01.2021.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Majhauria P.S. Case No. 228 of 2019 with following conditions:-

(1) Bailors should be local having sufficient

immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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