

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30509 of 2021

Arising Out of PS. Case No.-303 Year-2020 Thana- BIRAUL District- Darbhanga

MD. TUFAIL SON OF LATE MD. SHOHAIL R/O VILLAGE- BAURAM,
P.S.- JAMALPUR (BARGAMA O.P.), DISTRICT- DARBHANGA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kedar Jha

For the Opposite Party/s : Mr. Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 08-12-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with Biraul Police Station Case No. 303 of 2020, registered for the offences punishable under Sections 419/420/467/468/379/471/34 of the Indian Penal Code.

The allegation, as per the First Information Report, is that the petitioner, along with co-accused Md. Fujail, tried to withdraw the money from the Benipur branch of Punjab National Bank on the basis of forged signature upon withdrawal form and pass book, which was taken away from the Biraul branch of Punjab National Bank, along with Rs. 49,000/-.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case merely on the

basis of the fact that he happens to be the brother of co-accused Md. Fujail, who was found withdrawing the amount from the Benipur branch of the Punjab National Bank in the CCTV footage. He further submits that a sum of Rs. 49,000/- was also recovered from co-accused Md. Fujail and not from the possession of this petitioner. He further submits that the petitioner has got no criminal antecedent and he is in custody since 30.08.2020. He next submits that charge sheet has been submitted in this case and as such, there is no likelihood of the petitioner being abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties and taking into consideration the materials available on record and the fact that a sum of Rs. 49,000/-, along with other documents, has been recovered from the possession of co-accused Md. Fujail, the petitioner has got no criminal antecedent, he is in custody since 30.08.2020, and charge sheet has been submitted, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of

learned Additional Chief Judicial Magistrate, Biraul,
Darbhanga, in connection with Biraul Police Station Case No.
303 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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