

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.39027 of 2020**

Arising Out of PS. Case No.-96 Year-2020 Thana- AIRPORT District- Patna

1. ABDUL RAHMAN @ ABDUL REHAMN @ ABDUL RAHIM Son of Bulend Akhtar R/O Village - Saidpur, P.S. - Matihani, District - Begusarai.
2. Md. Hussain Alam Son of Lal Mohammad R/O Village - Saidpur, P.S. - Matihani, District - Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prakash Chandra Jha, Adv.
For the Opposite Party/s : Mr.Ram Sumiran Rai, APP

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

4 23-07-2021 Learned counsel for the petitioners undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

Petitioners in the present case are seeking regular bail in connection with Hawaii Adda P.S. Case No.96/2020 registered for the offences punishable under Sections 419, 429, 467, 468 and 34 of the Indian Penal Code. They are said to be in custody connection with the present case since 18.06.2020.

As per the prosecution story, these two petitioners along with co-accused were arrested at the airport when they were found having tickets in another name which did not tally



with their Adhar Cards.

Learned counsel for the petitioners submits that from the First Information Report itself it is clear that these tickets were provided by L&T Company and the petitioners who are in fact illiterate labourers were not even aware that they have been provided tickets in another name, they had been carrying their own Adhar Cards and had bonafidely provided the same at the entry point. Learned counsel further submits that in this case co-accused have been granted bail in Cr.Misc.No.1740/2021, Cr.Misc.No.3084 of 2021 and Cr.Misc.No.3186 of 2021.

Learned APP for the State has though opposed the prayer for regular bail of the petitioners, but accepts that the Adhar Cards of the petitioners were not forged and the tickets were provided by L&T Company.

Having regard to the facts and circumstances of the case as discussed hereinabove, let the petitioners above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna in connection with Hawaii Adda P.S. Case No.96/2020, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :



(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such 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 or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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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'.

