

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9483 of 2021

Arising Out of PS. Case No.-111 Year-2019 Thana- MUFFASIL District- West Champaran

Sarfraz Alam @ Sarfraz @ Nanhe, Son of Md. Sagir Ahmad, Resident of
Village- Chand Barwa, P.S.- Sathi, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Adv.

For the Opposite Party/s : Mr.Hymayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-07-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects as pointed out by the office within four weeks of normal functioning of the court, failing which the office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Section 392 of the Indian Penal Code.

Allegation is regarding unknown miscreants having looted a sum of Rs.15,81,900/- from the informant while he was going to HDPF Bank for depositing the same.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner is not named in the



FIR, on the confession of the petitioner, he has been made accused in this case. The petitioner was arrested in Bettiah (M) Manuapool P.S. Case No. 120/2019 from which he remanded in the present case. The petitioner is languishing in judicial custody since 14.06.2019. There is no T.I. Parade in this case till date. The petitioner has got one criminal antecedent which is mentioned in para 3 of the bail petition. The co-accused have been granted bail by different co-ordinate Benches of this court, which is annexed as Annexure-2 Series of the bail application.

Learned APP for the State opposes the prayer for bail of the petitioner.

Considering the similarly situated co-accused have been granted bail, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with Muffasil (Manuapul) P.S. Case No. 111/2019 to the satisfaction of learned Court below where the case is pending/ successor court; subject to the following conditions:

(1) that one of the bailors will be a close relative of the petitioner, who will be given an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the



address of the petitioner.

(2) that the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(3) that the petitioner will be well represented on each and every date fixed in the case and if he fails to do so on two consecutive dates his bail bond will be liable to be cancelled.

(4) that the petitioner shall co-operate with the investigation, if not already concluded and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

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