

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.294 of 2022**

Arising Out of PS. Case No.-154 Year-2021 Thana- JAMOBABAZAR District- Siwan

NASIMUL HAQUE S/o Usman Gani Ansari R/o Village- Mahal, P.O.  
Bahadurpur, P.S.- Jamo Bazar, Dist- Siwan. ... .. Petitioner/s

Versus

THE STATE OF BIHAR ... .. Opposite Party/s

with

**CRIMINAL MISCELLANEOUS No. 9629 of 2022**

Arising Out of PS. Case No.-154 Year-2021 Thana- JAMOBABAZAR District- Siwan

Fakruddin Son Of Abdul Resident Of Village- Nausepur Sareya, P.S.- G.B.  
Nagar, District- Siwan ... .. Petitioner/s

Versus

The State of Bihar ... .. Opposite Party/s

**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 294 of 2022)

For the Petitioner/s : Mr.Md. Aslam Ansari,Advocate

For the Opposite Party/s : Mr.Uday Chand Prasad,APP

(In CRIMINAL MISCELLANEOUS No. 9629 of 2022)

For the Petitioner/s : Mr.Ajay Kumar Pandey,Advocate

For the Opposite Party/s : Mr.Ganesh Prasad Singh,APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      13-07-2022                      Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and learned APP for the State.

Petitioners seek bail in a case registered for the offences punishable under Sections 420, 467, 468, 471 of the Indian Penal Code and 12 of Passport Act 1967.

As per FIR, allegation against the petitioner Nasimul Haque is that he provided the forged document for obtaining the



passport and allegation against petitioner Fakruddin is that he is the provider of fake document.

Learned counsel appearing for the petitioners submits that the petitioners have clean antecedent. They have falsely been implicated in the present case. As per allegation in the FIR petitioner Nasimul Haque provided the forged document for obtaining the passport and allegation against petitioner Fakruddin is that he is the provider of fake document. He further submits that in fact the agent namely, Fakruddin, who has provided the false and fabricated document for obtaining the passport and the police after investigation submitted the charge sheet against the petitioner and the petitioner namely, Nasimul Haque is in custody since 29.10.2021 and petitioner Fakruddin is in custody since 30.10.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Jamo Bazar Police Station Case No.154 of 2021, with the



following conditions:-

(1) Petitioners 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 on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

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

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 antecedents, 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.

**(Rajesh Kumar Verma, J)**

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