

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45288 of 2021

Arising Out of PS. Case No.-410 Year-2020 Thana- NARPATGANJ District- Araria

MD. SAJJAD @ SAJJO, S/o Late Safique @ Safid, R/o village- Khaira
Garhia, P.S.- Narpatganj, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Mandal, Adv.

For the Opposite Party/s : Mr.Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-02-2022 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within two weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Murlidhar, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Narpatganj P.S. Case No.410 of 2020 registered for the offences punishable under Sections 420, 406 and 120B of the Indian Penal Code. He is in custody since 14.05.2021. The petitioner has got one criminal antecedent.

Learned counsel for the petitioner submits that the informant has alleged in his fardbeyan that the FIR named accused persons called him for negotiating the purchase of land where the informant reached with his bag containing Rs.25 lacs, where one person came on motorcycle and demanded the



money on which the informant asked about paper of land in the meantime, 10-12 persons on 5-6 motorcycles arrived and it was stated that the persons of income tax came, in the meantime Md. Muzir @ Abdul Kadir Khan snatched his bag containing money, ATM card, PAN card and purse.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the co-accused similarly situated have already been granted bail by learned coordinate Benches of this Court.

Learned counsel further submits that the petitioner has not been identified by the informant and no test identification parade has been conducted so far.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that the petitioner has not been identified in the alleged occurrence, no test identification parade has been conducted so far, his name has transpired in the confessional statement of the co-accused, however, a number of co-accused have been granted bail either by learned coordinate Benches of this Court or by this Court in Cr.Misc.No.2345 of 2021 and Cr.Misc.No.39575 of 2021, the



petitioner is said to have one criminal antecedent in which he is on bail and in connection with this case has remained in custody since 14.05.2021, investigation against him is complete and his presence may be secured in course of trial, this Court directs that the petitioner 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, Araria in connection with Narpatganj P.S. Case No.410 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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'.

