

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48724 of 2021

Arising Out of PS. Case No.-228 Year-2019 Thana- MAJHAULIA District- West Champaran

TAJ ALAM @ MD. TAJ ALAM Son of Firoz Alam Resident of Jawkatiya,
P.S.- Majhauriya, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 23-03-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s), if any, be removed within two
weeks of the complete start of the physical Court in normal
course.

The petitioner seeks regular bail in connection with
Majhauriya P.S. Case No. 228 of 2019 for the offence
punishable under Sections 413, 414, 419, 420, 467, 468, 471,
472, 379 and 120B of the Indian Penal Code and Section 66 of
the I.T. Act.

The prosecution case, in brief, is that in course of
patrolling duty, informant along with other police personnel
reached near SBI, Majhauriya Branch and saw 10 to 12 persons
standing near the SBI ATM with four to five motorcycles. On



seeing the police party, all started to flee away, but on chase, five persons were apprehended who disclosed their names as Pintu Kumar, Sk. Sahid, Mukesh Kumar, Niyaul Haque and Mantosh Kumar who were found in possession of some ATM Cards and cash. On query, they disclosed the name of their fleeing accomplices as Taj Alam (petitioner), Ravi Kumar, Santosh Kumar Yadav, Chunnu Kumar, Pramod Kumar, Hariom Kumar, Rajan Sah, Chunnu Miyan and Sk. Wasim who were indulged in withdrawing money through ATM cards from account of different account holders.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has committed no offence as alleged. He has been falsely implicated in this case merely on suspicion. He further submits that neither the petitioner was apprehended at the spot nor any incriminating article was recovered from conscious possession of the petitioner. Petitioner is in custody since 15.04.2021. He further submits that other similarly situated co-accused persons namely Mukesh Kumar, Mantosh Kumar, Sk. Sahid, Dharmendra Kumar and Pramod Kumar have been enlarged on bail vide orders dated 19.09.2019, 01.10.2019, 16.11.2019 and 26.11.2019 passed in Cr. Misc. Nos. 58129 of 2019, 61560 of



2019, 54407 of 2019 and 69393 of 2019 respectively and the case of the petitioner stands on similar footing. Hence he is entitled to be released on bail.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the aforementioned facts and circumstances of the case, period of custody of the petitioner and several similarly situated accused persons have been enlarged on bail by different co-ordinate Benches of this Court, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Bettiah, West Champaran in connection with Majhauriya P.S. Case No. 228 of 2019, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty



to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(5) **The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically loose its force.**

(6) **The petitioner will make his attendance before the concerned police station under which his house is located every week at 8 AM on Saturday till conclusion of the trial and on any single default without any valid reasons on the part of the petitioner, his bail bonds shall be cancelled and the concerned SHO of the police station shall submit his monthly attendance report to the Superintendent of Police having jurisdiction.**

(Purnendu Singh, J)

mantreshwar/-

U		T	
---	--	---	--

