

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53693 of 2021

Arising Out of PS. Case No.-59 Year-2021 Thana- JAMOBAZAR District- Siwan

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Firoz Ahmad, S/O Shah Mohammad, Resident Of Village- Habibpur, P.S.-
Barahiya, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Choubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 04-04-2022 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 petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Jamo
Bazar P.S. Case No. 59 of 2021 registered for the offence under
Sections 364, 34,504 of the Indian Penal Code.

As per allegation in the FIR, the petitioner along with
other accused persons kidnapped the husband of the informant.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in the present case only on
the basis of suspicion. He further submits that it appears from
the FIR that the informant has claimed that Riyazuddin is her



husband but it appears from the Aadhar Card of the informant that her husband name is Ram Ikbal Prasad. He further submits that the informant has filed an application before the learned ACJM XIII, Siwan stating therein that one Shahjad Ahmad had taken the signatures of the informant on blank papers for issuance of Rashan Card, but it appears that her signature was misused to implicate the petitioner in false case. He further submits that during investigation nothing has come against the petitioner and the petitioner is in custody since 28.04.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Siwan in connection with Jamo Bazar P.S. Case No. 59 of 2021 with the following conditions:-

(1) Petitioner 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 his absence on two consecutive dates without sufficient



reason, his bail bond shall be canceled by the Court below.

(2) If the petitioner 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 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 bond 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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