

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59689 of 2021**

Arising Out of PS. Case No.-251 Year-2021 Thana- JAMUI District- Jamui

Md. Zakir Son of Md. Shakur Resident of Village - Chandradeep , P.s.-
Chandradeep, Distt.- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

3 22-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Jamui
P.S. Case No. 251 of 2021 registered for the offence under
Sections 420 and 171 E of the Indian Penal Code and Sections
66(c)(D) of Information Technology Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 07.07.2021.

The allegation against the petitioner is to send an e-
mail presenting himself as Md. Naushad Quayam through e-
mail ID “mdnaushadquayam@gmail.com” to the Court of
Additional District Judge-I, Jamui offering bribe to get favour of



the Court in connection of bail of the accused Md. Ashad Quiyum.

Learned counsel appearing on behalf of the petitioner submitted that the petitioner is in inimical terms with the accused whose bail application was pending before the Court of Additional District Judge-I, Jamui, and as such, by no stretch of imagination, it can be presumed that bribe be offered by the petitioner to get favour of the Court for obtaining the bail. It has further been submitted that save and except the mobile number of the petitioner, which was used to create the alleged gmail account through which bribe was offered, nothing incriminating surfaced during the course of investigation. It has further been submitted that most of the charges raised against the petitioner are bailable in nature and also the alleged inducement to offer bribe is based upon the information of driver of the Judicial Officer, before whom the bail petition, in issue, was pending. It has further been submitted that chargesheet has already been submitted in this case, as such there is no chance of tampering with the evidence and also petitioner is a man of clean antecedent. While concluding the argument, it has also been submitted that the IMEI number of the petitioner's mobile is 866769050479792 whereas the IMEI number of the mobile



which has been used to sent the alleged e-mail is 866769050479800, which creates a serious doubt as regard to allegation against the petitioner.

Learned APP appearing on behalf of the State while opposing the prayer of bail vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances as mentioned above, as except mobile number, nothing incriminating surfaced during the course of investigation against the petitioner coupled with the fact that chargesheet has already been submitted in this case, let the petitioner, above named, is directed to be released on bail in connection with Jamui P.S. Case No. 251 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui, subject to the following conditions:

“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical



ground of the petitioner duly supported by
the documents.

(ii) That one of the bailors shall be
Md. Iftekhar Alam, who is the cousin brother
of the petitioner and deponent of the present
bail petition.”

(Chandra Shekhar Jha, J)

Ankit/-

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