

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.71146 of 2021

Arising Out of PS. Case No.-260 Year-2017 Thana- KISHANGANJ District- Kishanganj

Najrul Alam Alias Nazarul Alam Son Of Abdul Aziz Resident Of Village-
Barijan, Kashibari, P.S- Kochadhaman Dist- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan

For the Opposite Party/s : Mr. Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL ORDER

5 05-12-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with

Kishanganj P.S. Case No. 260 of 2017, registered for the

offences punishable under Sections 419, 420, 467, 468,

406, 471 and 120 (B) of the Indian Penal Code.

The prosecution story as emerging from the FIR is

that some insurance policy was issued in favour of dead



persons and the petitioner is advisor of the company.

The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that one co-accused, namely, Sakir Alam, who is a nominee of one such policy, has already been enlarged on bail vide order dated 03.07.2019 passed in Cr. Misc. No. 25884 of 2019 and another co-accused, namely, Chaitu Ram Sinha @ Chaitu Ram Singh has already enlarged on bail vide order dated 03.07.2018 passed in Cr. Misc. No. 30298 of 2018. He also submits that investigation in this case is complete and charge-sheet has already been submitted.

The petitioner has been languishing in jail since 30.08.2021.

It is also stated in paragraph no. 2 of the petition that the petitioner has not moved earlier before this Court for grant of anticipatory bail or regular bail.

It has further been stated in paragraph no. 3 that the petitioner has no criminal antecedent.

However, the learned APP for the State



vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstance, the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Ld. Chief Judicial Magistrate, Kishanganj in connection with Kishanganj P.S. Case NO. 260 of 2017, **after framing of charge, if not already framed**, on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.



(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

The application stands allowed accordingly.

In case, any accused or co-accused, who are on bail, do not attend the Court at the time of framing of charge, their bail-bonds should be cancelled and framing of charge should not be unnecessary delayed in case framing of charge gets delayed on account of non-appearance of such co-accused who are not on bail. Trial of accused persons, who are already on bail, should be separated.

The learned counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office



within a period of one month and the Registry is directed to
issue the certified copy of this order only after removal of
office objections.

(Jitendra Kumar, J)

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