

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9397 of 2023

Arising Out of PS. Case No.-1 Year-2020 Thana- MANJHAGARH District- Gopalganj

1. SHAHZAD @ BILDARI @ SAHZAD ALI S/O SAUKAT SAH @ SHAHZAD ALI @ SHAUKAT ALI Resident of village- Bhawaniganj, P.S.- Manjhagarh, District- Gopalganj.
2. JANE HUSSAIN @ TEDHI @ JANE HUSSAIN ANSARI S/O QYAMUDDIN @ QYAMUDDIN ANSARI Resident of village- Bhawaniganj, P.S.- Manjhagarh, District- Gopalganj.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Javed Aslam, Advocate

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners, in the present case, are seeking pre-arrest bail in connection with Manjhagarh P.S. Case No. 01 of 2020 registered for the offences punishable under Sections 414, 419, 420, 467, 468, 471 of the Indian Penal Code. They have no criminal antecedent as stated in paragraph ‘3’ of the application.

As per the prosecution story, while the informant got secret information that some unknown miscreants were standing at Manjhagarh State Bank ATM and defalcating the money of the villagers by changing their ATM Cards. He reached there but on seeing the police party one person started fleeing away but



the police caught him. On interrogation he disclosed his name as Irfan Ali. On search one mobile and several ATM Cards of different Banks were recovered.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in this case. Learned counsel submits that petitioners are neither named in the F.I.R. nor apprehended on the spot.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

Having regard to the facts and circumstances of the case, the submission that the name of these petitioners transpired in the confessional statement of the co-accused Irfan Ali and save and except the confessional statement there is no other material against the petitioners to connect in the present case, nothing has been recovered from their possession and no material has been collected to show that these petitioners have indulged in committing theft or cheating, this Court, therefore, directs that in case of their arrest/surrender within a period of four weeks from today, let the petitioners above-named be enlarged on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of Sri Mahendra Mishra, learned Judicial



Magistrate - 1st Class, Gopalganj, in connection with
Manjhagarh P.S. Case No. 01 of 2020, subject to the conditions
as laid down under Section 438 (2) of the Cr.P.C.

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