

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26210 of 2023**

Arising Out of PS. Case No.-801 Year-2022 Thana- SHERGHATI District- Gaya

SAIF ALI, Son of Shaukat Ali, R/o House No. 807 near Hari Cycle Tajpur,
Pahani society, PS- Badarpur, south Delhi 110044

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kr. Sinha, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 24-05-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in connection with Sherghati P.S. Case No. 801 of 2022 dated 03.09.2022 registered for the offences punishable u/s 420, 406 read with Section 34 of the Indian Penal Code.

As per the prosecution case, the informant paid Rs. 1,00,000/- through several installments to the petitioner who was indulged in trading and after three months, when the informant asked about the money, the petitioner denied to return



the same. It is further alleged that informant gave Rs. 94,000/- in two installments in the account of the Ankit Kumar and cash of Rs. 50,000/- was given to Md. Sahnwaz.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The co-accused person has already been granted bail vide order dated 14.03.2023 passed in Cr. Misc. No. 71460 of 2022 by the Co-ordinate Bench of this Court. The petitioner has got no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 04.09.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Sherghati, Gaya in connection with Sherghati P.S Case No. 801 of 2022 with the following condition :-

1. The petitioner is directed to remain physically present before the learned Court below



on each and every date, failing
which on two consecutive
dates without reasonable cause,
his bail bonds is liable to be
cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

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