

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37779 of 2022

Arising Out of PS. Case No.-487 Year-2021 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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Md. Jafar Ikwai @ Md. Zafar Equbal @ Md. Zafar Iqbal Son Of Md.
Amiruddin Resident Of Mohalla- Kolhua Paigamberpur, Ansar Colony, P.S.-
Ahiyapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 01-02-2023 Learned counsel for the petitioner is permitted to

remove the defects, as pointed out by the office, if any, within a

period of four weeks from today.

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in a case registered for the

offences punishable under Sections 420, 379, 467, 468,

120(B)/34 of the Indian Penal Code.

As per the prosecution case, the informant had a bank

account in Punjab National Bank which was connected with the

BSNL SIM. On 24.06.2021 the network of the said mobile was

disconnected and the informant was asked to submit his Aadhar

and one photo in order to get a new SIM. The informant further



alleged that again the new SIM card also got disconnected and the co-accused again asked the informant to submit his Aadhar Card and photo for a new SIM card which also got disconnected. The informant further alleged that on 02.07.2021 he went to P.N.B. to withdraw the amount of pension that it came to know that Rs. 20,00,000/- on 29.06.2021 and Rs. 2,40,000/- have with withdrawn illegally from his bank account.

Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case only on the basis of suspicion. He further submits that the confessional statement of the petitioner was recorded in Muzaffarpur P.S. Case No. 487 of 2021 and on the basis of the confessional statement the name of the petitioner has been falsely implicated in the present case. He further submits that nothing has been recovered from the conscious possession of the petitioner and recovery has been made from co-accused person and petitioner has no concern at all with the alleged occurrence.

Learned APP for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner on the basis of the materials available on record as well as in the case



diary and submits that there is sufficient material during investigation has come against the petitioner that the petitioner and other co-accused person are involved in the present occurrence. He further submits that 9 Mobiles, 2 Laptops, 5 Aadhar Cards, One POS Machine (ICICI Bank), 5 Bank Passbooks, 9 Parchi (PNB Bank) and Rs. 8,44,500/- have been recovered from the pocket and bag of the petitioner and other articles have been recovered from the other accused persons. He further submits that the petitioner carries five more cases other than the present one.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail in connection with Town P.S. Case No. 487 of 2021 pending in the Court of learned Chief Judicial Magistrate, Muzaffarpur.

Prayer is refused.

(Rajesh Kumar Verma, J)

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