

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43321 of 2023

Arising Out of PS. Case No.-880 Year-2022 Thana- FORBESGANJ District- Araria

Haroon, son of Riyaj, R/O Village - Bairiya Ward No.- 08, P.S.- Narpatganj,
District - Araria.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Kumar Singh

For the Opposite Party/s : Mr.Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-08-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 420, 356, 489(A), 489C of the Indian Penal Code and
Sections 25(1-b), 26 of the Arms Act.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
informant alleges that that Abid Ansari was apprehended with
two notes of Rs.100/- and two notes of Rs.500/- and several
plain papers of currency size notes along with a pistol and a live
cartridge and disclosed the name of the petitioner and Washin,
who escaped.

4. The learned counsel for the petitioner submits that



petitioner has been falsely implicated in the present case. It is next submitted that petitioner was not even present at the place of occurrence and he came to be implicated based on confessional statement of Abid Ansari in police custody, which does not have any evidentiary value. It is next submitted that petitioner is not related to Abid Ansari in any manner nor he is known to each other. It is next submitted that no doubt, the allegation as alleged in the F.I.R. is serious in nature, but then, the petitioner will not abscond rather will cooperate in the investigation and will present himself as and when required by the Investigating Officer of the case for eliciting the truth and proving his innocence.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Araria in connection with Forbesganj P. S. Case No.880 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.



with a further condition that one of bailors of the petitioner shall be his father namely, Riyaj.

7. The application stands allowed.

8. However, it is made clear that in the event, if any application is filed by the Investigating Officer before the learned trial Court bringing to its notice that petitioner, despite giving assurance to this Court, is not co-operating in the investigation or is not presenting himself as and when required, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

9. Let a copy of this order be sent to the concerned Police Station through the learned trial Court.

10. Further, it is made clear that in the event, if charge-sheet is filed connecting the petitioner with the offence in that event, the present anticipatory bail order shall come to an end. However, petitioner will be at liberty to resort his remedies available in law.

(Satyavrat Verma, J)

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