

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48879 of 2023

Arising Out of PS. Case No.-212 Year-2023 Thana- JOKIHAT District- Araria

MD. SHAHZAD @ MD. SHAHZAD ALAM Son of Md. Shamshad Resident
of village - Chaukta, ward no. 04, Kelabari, P.S. - Mahalgaon, Distt. - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diksha Kumari

For the Opposite Party/s : Mr.Amitesh Kumar

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

ORAL ORDER

- 2 16-08-2023 1. 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.
2. Heard learned counsel for the petitioner and learned A.P.P. for the State.
3. The petitioner has preferred this application for grant of regular bail in connection with Jokihat (Mahalgaon) P.S. Case No. 212 of 2023 dated 07.05.2023, registered for the offences punishable u/ss 417, 419, 420, 465, 467, 468, 471, 472, 473, 474 & 120B of the Indian Penal Code.
4. As per the prosecution case, ASI got information that the accused in association with other accused were involved in cyber crime. They disclosed that they run an organized gang.



They told that by downloading sale deed, they obtained Aadhar number and fingerprint of the people and prepared duplicate fingerprint on the rubber sheet and withdrew money illegally from account. Screenshot photo of illegally withdrawn money is available in his mobile phone. On the basis of disclosure statement, police recovered incriminating material.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. Nothing incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 08.05.2023.

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

7. 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, Araria in connection with Jokihat (Mahalgaon) P.S. Case No. 212 of 2023 with the condition:-



(i) 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, the bail bonds of the petitioner are liable to be cancelled.

(ii) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for the cancellation of the bail bonds of the petitioner.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Alok Verma/-

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