

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50707 of 2023

Arising Out of PS. Case No.-612 Year-2021 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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Falak Nawaz S/O Tajuddin Ahmad R/O Village- Balthi Rasulpur, P.S.
Bochahan, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. S. N. Yadav, Adv.
	:	Mr. Sweta Kumari, Adv.
	:	Mr. Masoom Alam, Adv.
For the Opposite Party/s :		Mr. Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 23-08-2023 Heard Ld. counsel for the petitioner and the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Nagar P.S. Case No. 612 of 2021, registered for the offences punishable under Sections 420, 353, 120 (B) of the Indian Penal Code and 67 I.T. Act.

3. As per allegation, the petitioner, who was working as Computer Operator, has changed the password of departmental email due which on 10.08.2021 till 12:27 PM no message was received on departmental email.

4. Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the alleged facts and circumstances of the case does not constitute any offence punishable under



Section 420.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier for anticipatory bail in this case.

6. It has further been stated that the petitioner has no criminal antecedent.

7. However, the learned APP for the State has opposed the prayer for bail.

8. Considering the aforesaid facts and circumstances, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Ld. C.J.M, Muzaffarpur, in connection with Nagar P.S. Case No. 612 of 2021, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has



concealed his criminal antecedent despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

9. The learned counsel for the petitioner is directed to remove all the defects pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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