

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47706 of 2023

Arising Out of PS. Case No.-47 Year-2023 Thana- KHAIRA District- Saran

Nashrullah @ Md Nasrullah Son Of Md Sanaullah @ Shamaullah R/O-
Khodaibag, P.S.-KHAIRA, Distt.-SARAN (CHAPRA)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Ziaul Quamar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
10.04.2023 in connection with Khaira P.S. Case No. 47 of
2023, F.I.R. dated 08.02.2023 registered for the offence
punishable under Sections 341, 323, 384, 386, 504, 506, 379/34
of the Indian Penal Code.

3. It is a case of demand of ransom of Rs. Two lac
from the informant on pistol point. It is further stated that
accused person snatched Rs. 15000/- from the pocket of the
informant.

4. Learned counsel appearing for the petitioner
submits that the petitioner is cousin brother of the informant and
due to admitted land dispute the informant has falsely



implicated the petitioner in the present case for grabbing the land in question and the co-accused namely, Md Sanaullah @ Shamaulla, who is father of the petitioner, has filed Title Suit No.707 of 2022 and the allegation as alleged in the FIR is false and fabricated and the petitioner has never demanded any ransom from the informant and the informant only to grab the land in question has falsely implicated the entire family of the petitioner in the present false and fabricated case and the co-accused, namely, Md Sanaullah @ Shamaulla, who is father of the petitioner, has been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 28.07.2023 passed in Cr. Misc. No.44767 of 2023 and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 10.04.2023.

5. Learned APP for the State has opposed the prayer for bail of the petitioner on the ground that the petitioner carries one more case other than the present one but fairly submits that the petitioner is on bail in the said case.

6. Considering the aforesaid fact, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate,



Saran, Chapra in connection with Khaira P.S. Case No. 47 of 2023, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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