

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50853 of 2023

Arising Out of PS. Case No.-356 Year-2022 Thana- TAJPUR District- Samastipur

Md. Shahnawaz @ Md. Shahnwaj S/O Md. Barik R/O Village- Dargah Road,
PS. Tajpur, Dist. Samastipur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

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

2. The petitioner in the present case is seeking pre-arrest bail in connection with Tajpur P.S. Case No. 356 of 2022 registered for the offences punishable under Sections 414, 419, 420, 467, 468/34 of the Indian Penal Code. He has got no criminal antecedent.

3. As per the prosecution story, one stolen motorcycle was recovered from the house of co-accused Prince Kumar and on interrogation, he disclosed the name of this petitioner and his other associates.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that there is no recovery from the house of the petitioner and his name has transpired in the confessional statement of the co-accused.

5. Learned APP for the State has opposed the prayer for



anticipatory bail of the petitioner.

6. Having regard to the submission that the name of the petitioner has transpired in the confessional statement of the co-accused but there is no recovery from the premises of the petitioner and he has otherwise no criminal antecedent, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named be released on bail in connection with Tajpur P.S. Case No. 356 of 2022 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Samastipur, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. 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.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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