

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52003 of 2022

Arising Out of PS. Case No.-80 Year-2020 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Md. Moiuddin @ Mintu S/O Abdul Ahad Resident of Sahpur Baghauni, P.S.-
Waini O.P., District- Samastipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Harun Quareshi, Advocate
For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

7 21-03-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 406, 420, 467, 468, 471 and
120(B) of the Indian Penal Code.

According to prosecution case, this petitioner while
working for a firm financed informant's pick up van through
forged money receipt.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been



implicated in the present case. He outrightly submits that the petitioner is ready to deposit Rs. 1,00,000/- by way of demand draft in favour of the informant / complainant, namely, Sunil Kumar. The petitioner is in custody since 28.06.2022.

The learned Additional Public Prosecutor submits that petitioner may be enlarged on bail subject to the condition of payment of Rs. 1,00,000/- by the petitioner to the informant / complainant.

Considering the aforesaid facts and circumstances, 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 the learned Court below where the case is pending in connection with Muffassil P.S. Case No. 80 of 2020, subject to the following conditions:-

1. The petitioner shall furnish/deposit the demand draft of the said amount of Rs. 1,00,000/- in favour of the complainant at the time of furnishing the bail bond. The demand draft shall be handed over to the informant/counsel for the informant.

2. 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

3. 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.

4. 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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