

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58449 of 2022

Arising Out of PS. Case No.-270 Year-2017 Thana- SITAMARHI District- Sitamarhi

Molazim Miyan @ Molazim Son of Islam Resident of Village - Ranjeetpur
West , P.s.- Punaura, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-02-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 420, 409, 467, 468, 471, 120 and 34 of the Indian Penal Code.

According to prosecution case, the petitioner and others have claimed and received pension from last several years under the Indira Gandhi National Old Age Pension Scheme by furnishing forged and fabricated certificates.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the petitioner is ready to deposit the amount in question which he has received from March, 2015 to February, 2018. He further



submits that the police after investigation submitted the charge sheet against the petitioner. the petitioner is in custody since 11.07.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

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 Sitamarhi (Punaura O.P.) P.S. Case No. 270 of 2017, subject to the following conditions:-

1. The petitioner shall deposit the amount in question which he has received from March-2015 to February-2018 in the bank account of Block Development Officer, Dumra and shall produce the receipt of the same at the time of furnishing the bail bond.

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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