

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58449 of 2023

Arising Out of PS. Case No.-141 Year-2023 Thana- AMAUR District- Purnia

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MD. IFTEKHAR ALAM S/O MD. SAQUIRUDDIN R/O VILLAGE-
RASAILI, P.S- AMOUR, DISTT.- PURNEA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 04-09-2023 Heard the parties.

The petitioner is in judicial custody in connection with Amour P.S. Case No.141 of 2023 instituted under Section 417,419,420,465,467,468,471,472,473,474,120B/34 of the IPC lodged on 07.05.2023 by the informant Rajeev Kumar Azad.

As per the prosecution story, the informant got information that the accused persons are withdrawing money by using fingerprints of other persons raided the place and number of incriminating articles recovered which included amongst other the SIMS, the coloured oiled cloth pieces, seventy-five fingerprints etc. Accordingly, the FIR.

It is the case of the petitioner that he has been dragged in the case, no one has come forward to make any allegations. Further, other co-accuseds namely, Raushan Zamir and Md.



Rashid have been granted bail by different co-ordinate Benches vide Cr. Misc. No. 54955 of 2023 and Cr. Misc. No. 50718 of 2023 respectively.

Learned APP opposes the prayer for bail stating that a bare perusal of FIR would show that they were withdrawing money after using the fingerprints.

Considering the submissions put forward by the learned counsel for the petitioner, the State as also the fact that other co-accuseds have since been granted bail, as stated above, he is in custody since 08.05.2023 (para-4 of the petition) and do not have criminal antecedent, this Court is inclined to extend him privilege of bail only after framing of charges.

Let the petitioner be released on bail after framing of charges on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Amour P.S. Case No.141 of 2023 to the satisfaction of learned Chief Judicial Magistrate, Purnea , subject to following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date



before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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