

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65415 of 2022

Arising Out of PS. Case No.-298 Year-2022 Thana- JOKIHAT District- Araria

SAKIB @ MD SAKIB Son of Ekbal Resident of village - Kursail Ward No.-
06, P.S.- Mahalgaon, District – Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 05-04-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since 26.08.2022,
in connection with Jokihat (Mahalgaon) P.S. Case No. 298/2022,
F.I.R. dated 08.06.2022, for the offences punishable under
Sections 420, 406, 468, 471, 467 of the Indian Penal Code.

According to prosecution case, there is allegation against
the petitioner that he runs C.S.P. branch in Kursail and he induced
the informant and other villagers of Kursail on the assurance that
they will get the amount from Pradhanmatri Kishan Shahayata
after signing some documents and took thumb impression of the
informant and others and withdrawn amount from the account of
the villagers of Kursail.

Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. Learned counsel for the petitioner out-rightly submits that the petitioner is ready to pay Rs. 20,000/- each in favour of the persons as mentioned in the First Information Report (08 persons) by way of demand draft. The petitioner is in custody since 26.08.2022.

The learned Additional Public Prosecutor for the State on the other hand submits that the petitioner may be enlarged on bail subject to the condition of payment of Rs. 20,000/- each by the petitioner to the persons as mentioned in the First Information Report (08 persons).

After depositing the aforesaid amount by way of demand draft, the learned Court below is directed to hand over the amount in question to the 08 persons as mentioned in the First Information Report.

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 Chief Judicial Magistrate, Araria, in connection with Jokihat (Mahalgaon) P.S. Case No. 298/2022, subject to the following conditions:-

(1) The petitioner shall furnish/deposit Rs. 20,000/- each by way of demand draft in favour of the 08 persons as



mentioned in the F.I.R. before the learned Court below at the time of furnishing bail bond and the learned Court below is directed to hand over the amount in question to the 08 persons as mentioned in the First Information Report.

(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)

amit/-

U		T	
---	--	---	--

