

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9267 of 2024

Arising Out of PS. Case No.-469 Year-2020 Thana- SUPAUL District- Supaul

Md Nasim Alam @ Md Nasim Son of Md. Moiuddin @ Md Maiuddin @
Mohiuddin Resident of Village and P.O.-Singiawan, P.S.-Kishanpur, Distt.-
Supaul, State-Bihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Kuldeep Kumar, Advocate
For the Opposite Party : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Supaul P.S. Case No. 469 of 2020 dated 04.07.2020, instituted
for the offences punishable under Sections 419, 420, 34 of the
Indian Penal Code.

3. As per the case of prosecution, the petitioner and
several co-accused persons, whose details are mentioned in the
FIR replaced themselves with another persons in the physical
examination concerned to the selection process of Bihar Home
Guard recruitment, however, the said physical examination
conducted in Supaul Stadium from 25.09.2019 to 16.10.2019
and the FIR was lodged on 04.07.2020 i.e., after nine months.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. It is submitted that there is no specific allegation against the petitioner and also there is an inordinate delay in lodging the FIR i.e., nine months, which creates serious doubt about the prosecution case. It is further submitted that several similarly situated persons have been granted bail by different co-ordinate Benches of this Court on different dates (*Bipin Kumar, Bipin Kumar Thakur, Ranjeet Kumar and Chandeshwar Mandar vide common order dated 28.04.2022 passed in Cr. Misc. No. 49643 of 2021, Yadunandan Kumar vide order dated 08.05.2023 passed in Cr. Misc. 7563 of 2023 and Shriram Paswan vide order dated 13.09.2023 passed in Cr. Misc. No. 56986 of 2023*). Lastly, it has been submitted that the petitioner has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Supaul P.S. Case No. 469 of 2020, he shall be released on bail upon furnishing bail



bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Supaul, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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