

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23298 of 2024

Arising Out of PS. Case No.-136 Year-2023 Thana- SAHEBPUR KAMAL District-
Begusarai

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1. ANGURI KHATOON @ ANGOORI KHATOON W/O MD. SARFARAJ @ MD. SARFARAJ R/O VILLAGE- GADHARA (GARHARA), WARD NO. 12, P.S- BARAUNI, (GADHARA OP), DISTT.- BEGUSARAI.
 2. RUBANA KHATOON W/O MD. NAUSHAD R/O VILLAGE- GADHARA (GARHARA), WARD NO. 12, P.S- BARAUNI, (GADHARA OP), DISTT.- BEGUSARAI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate
For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-04-2024 Heard Mr. Sandip Kumar Gautam, learned counsel for the petitioners and Mr. Md. Ataur Rahman, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Sahebpur Kamal P.S. Case No. 136 of 2023, F.I.R. dated 20.05.2023 registered for the offences punishable under Sections 419, 420, 467, 468, 469, 471, 474, 34 of the Indian Penal Code.

3. Allegation against the petitioners is that they are the witnesses of two application forms for getting birth certificates before the informant and on verification it was found that the forged and fake signature and stamp of the Mukhiya was



already done over both the applications form of birth certificate.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case. He further submits that from perusal of the F.I.R. it appears that the petitioners have only furnished their Aadhar Card to co-accused persons namely Md. Nasim and Sahjadi Khatoon for obtaining birth certificate of their children and petitioners have no role in the present occurrence and the petitioners being a family members of co-accused persons have been falsely implicated in the present case.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts that the petitioners having clean antecedents and there is no specific allegation against them that they have cheated the informant in any manner, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Begusarai in connection with Sahebpur Kamal P.S. Case No. 136 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following



conditions :-

(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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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