

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32591 of 2024

Arising Out of PS. Case No.-270 Year-2023 Thana- JOGBANI District- Araria

Md. Abul Son of Late Tahir Miyan @ Late Tahir Resident of Village- Fena
Belahi ward no. 11, P.S. - Jogbani (Bathnaha), Distt - Araria.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate
For the State : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 26-04-2024 Heard Mr. Mukesh Kumar Rana, learned counsel for
the petitioner and Ms. Anita Kumari, learned A.P.P. for the State.

2. The petitioner seeks bail in connection with
Jogbani P.S. Case No. 270 of 2023 registered for the offence
under Sections 147, 148, 149, 341, 323, 384, 467, 468, 469,
504, 506 and 120B of the Indian Penal Code.

3. The petitioner is said to have committed forgery by
creating a false jamabandi and executed the sale deed and sold
the land to some other persons.

4. Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case. He further
submits that the petitioner is said to have committed forgery by
creating a false jamabandi and executed the sale deed and sold



the land to some other persons. He further submits that the petitioner has purchased the land in question from Md. Abdul, Md. Zubrel, Md Jalil and Md. Samina. He further submits that the petitioner has been made accused in the present case on the ground that the petitioner has purchased the land in question from the other co-accused persons who have claimed to be original owner of the land in question and co-accused persons namely, Deepak Swarnkar & Panchdeo Kumar have been granted bail by this Court vide order dated 18.04.2024 passed in Cr. Misc. No. 21491 of 2024. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 10.01.2024.

5. Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned Chief Judicial Magistrate, Araria in connection with Jogbani P.S. Case No. 270 of 2023 with the following conditions:-

(1) 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) 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.

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)

ajay/-

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

