

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80907 of 2023

Arising Out of PS. Case No.-196 Year-2023 Thana- MADHEPURA District- Madhepura

Md. Bakil Ahmad @ Md Wakil Ahmad S/O Bijul R/O Village- Jhitkiya Mahuwa, Ward No. 4, P.S- Madhepura (GHAILARGH O.P), Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-01-2024 Heard Mr. Ranjan Kumar Jha, learned counsel for the petitioner and Mr. Pranav Kumar, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Madhepura (Ghailargh) P.S. Case No. 196 of 2023, F.I.R. dated 22.02.2023 for the offences punishable under Sections 341, 323, 406, 420, 379 504, 506 and 34 of the Indian Penal Code.

3. According to prosecution case, all the accused persons including the petitioner have committed fraud with the informant by taking Rs. 2,70,000/- for providing him job of a teacher.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. He outrightly submits that the petitioner is ready to return the amount which has been taken as a loan amount from the informant i.e. Rs. 2,70,000/- in three equal installments within a period of three months out of which Rs. 70,000/- has to be paid at the time of furnishing bail bond.

5. The learned Additional Public Prosecutor has no objection in this regard.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of 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/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura in connection with Madhepura (Ghailargh) P.S. Case No. 196 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioner shall produce a demand draft of Rs. 70,000/- at the time of furnishing bail bond in favour of the informant, namely, Md. Irshad Alam and the rest amount shall be paid in three equal monthly installments. If the petitioner



fails to deposit the rest amount, then the informant has liberty to move before the learned Court below for cancellation of the bail bond of the petitioner.

ii. 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.

iii. 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.

iv. 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)

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