

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.83178 of 2023**

Arising Out of PS. Case No.-487 Year-2021 Thana- MUZAFFARPUR TOWN District-  
Muzaffarpur

MD. ZAFAR IQBAL S/o Late Amiruddin R/o village-Kolhua Paigamberpur,  
P.S-Ahiyapur, in the district of Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ranjeet Kumar, Advocate  
For the Opposite Party/s : Mr.Lalan Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      16-02-2024                      Heard Mr.Ranjeet Kumar, learned counsel for the  
petitioner and Mr.Lalan Kumar, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since  
15.08.2021 in connection with Muzaffarpur Town P.S. Case  
No. 487 of 2021, F.I.R. dated 03.07.2021 registered for the  
offence punishable under Sections 420,379,467,468,120(B)/34  
of IPC.

3. Earlier the prayer for bail of the petitioner was  
refused vide order dated 01.02.2023 passed in Cr. Misc.  
No.37779 of 2022. Thereafter, the petitioner has filed the  
present bail petition for renewing his prayer for bail.

4. Vide order dated 05.01.2024, a report was called for  
with regard to the present status of the trial. The report of the



learned Trial Court dated 07.02.2024 reveals that the process has been issued for the appearance of the witnesses, but till date no witness has been examined in the present case.

5. Learned counsel appearing for the petitioner referring the aforesaid report and submits that in view of the report of the learned Trial Court that there is no chance of early conclusion of the trial in near future and the petitioner is in custody since 15.08.2021 and other co-accused persons, namely, Kundan Kumar, Manjay Kumar Singh, and Rajesh Kumar have been granted bail by different Coordinate Benches of this Hon'ble Court vide orders dated 21.02.2022, 14.07.2022 and 07.04.2022 passed in Cr. Misc. Nos. 63409 of 2021, 29130 of 2022 and 6726 of 2022 respectively.

6. Learned APP for the State, on the other hand, has opposed the prayer for bail of the petitioner and submits that the petitioner carries five more cases other than the present.

7. Considering the aforesaid fact, report of the learned Trial Court, period of custody and several other co-accused persons have been granted bail, 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 learned Chief Judicial Magistrate, Muzaffarpur in



connection with Muzaffarpur Town P.S. Case No. 487 of 2021, with the following conditions:-

(I) 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 cancelled by the Court below.

(II) 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.

(III) 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)**

Nitesh/-

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