

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84443 of 2024

Arising Out of PS. Case No.-621 Year-2022 Thana- KESARIA District- East Champaran

Jamshed Alam @ Jamshed Ansari S/o Makbul Ansari @ Md. Makbool
Ahamad R/o village North Hussaini, P.S. -Dumariyaghat, District -East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisu Zzoha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 11-12-2024 Heard Ld. counsel for the petitioner and Ld. APP for
the State.

2. The present petition has been filed on behalf of the
petitioner, apprehending his arrest, in connection with Tr. No.
2329 of 2023, arising out of Kesaria P.S. Case No. 621 of 2022,
dated 22.12.2022, registered for the offences punishable under
Section 392 of the Indian Penal Code.

3. As per the allegation, some unknown persons have
robbed a sum of Rs. 85,000/- from the informant.

4. Ld. counsel for the petitioner submits that the
Petitioner is innocent and has falsely been implicated in this
case. He further submits that the petitioner is not named in the
FIR, nor is any recovery from him and nor any TIP has been



conducted by the police. The petitioner's name has transpired in the confessional statement of the co-accused, which has no evidentiary value.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner has been made accused in five other cases.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the Court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Chief Judicial Magistrate, East Champaran, Motihari in connection with Tr. No. 2329 of 2023, arising out of Kesaria P.S. Case No. 621 of 2022, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following



conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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