

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13354 of 2025

Arising Out of PS. Case No.-7 Year-2022 Thana- RUDRAPUR District- Madhubani

Md. Tabrej Alam @ Md. Tabrej @ Md. Tarwej @ Md. Tarwej Alam Son of
Md. Nasiruddin @ Nasrudin Resident of Village- Mukhtiyarpur Salkhani,
ward No 8, PS -Dalsinghsarai, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramchandra Jha Raman, Adv.

For the Opposite Party/s : Mr.Arun Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 28-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending
his arrest in connection with Rudrapur P.S. Case No. 07 of 2022
registered on 11.01.2022 for the alleged offences under Section
420, 406 and 34 of the Indian Penal Code

03. As per prosecution case, the co-accused
introduced the informant to petitioner Md. Tawrej who further
introduced the informant to another co-accused Mr. Mokhtar
Warsi @ Son Khan with whom the informant entered into an
agreement for purchase of Hyva vehicle and an advance
consideration amount of Rs. 5 lakh towards total amount of Rs.
21 lakh 81 thousand was paid. However, the co-accused did not



transfer the vehicle to the informant and even refused to return the money which was paid to the co-accused Md. Mokhtar Warsi and his wife.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. From the FIR it is evident that petitioner has not received any money and only allegation against the petitioner is that he introduced the informant to co-accused Md. Mokhtar Warsi and it was the co-accused who took the agreement money. However, the petitioner was a witness on the agreement entered into between the co-accused and the informant for which no liability could be fastened upon the petitioner under Section 420, 406 and 34 of the Indian Penal Code. Learned counsel further submits that co-accused Md. Islam has been granted anticipatory bail by this Court vide order dated 26.06.2024 passed in Cr. Misc. No. 38745 of 2024. The petitioner is having clean antecedent.

05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioner.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the



absence of any allegation for commission of any offence under the sections mentioned in the FIR and further considering the possibility of false accusation, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of Court of learned J.M.F.C., Jhanjharpur, Madhubani in connection with Rudrapur P.S. Case No. 07 of 2022, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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