

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73411 of 2025

Arising Out of PS. Case No.-509 Year-2019 Thana- MAJHAULIA District- West Champaran

Jafeer Alam @ Jafir Alam S/o Amrul Miya @ Amrul Miyan Resident of
Village- Ghad Bahuari, P.S.- Palanwa, District- East Champaran at Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-11-2025 Heard Mr. Shashank Shekhar, learned counsel for the

petitioner and Mr. Binod Kumar, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Majhaulia P.S. Case No. 509 of 2019, F.I.R. dated 01.10.2019 for the offences punishable under Sections 467, 468, 471, 420, 406 and 34 of the Indian Penal Code.

3. As per the prosecution case, about six months prior to the incident, co-accused Saiyda Khatun informed the informant that her own brother was residing in Dubai and suggested that the informant could send her son there for employment. During the conversation, the petitioner's brother demanded a sum of Rs. 1,50,000/-. Thereafter, three friends of the informant's son also agreed to go along under the same



arrangement. Subsequently, in the presence of one Bhikari Miyan, a total sum of Rs. 2,00,000/- was handed over, and Rs.4,50,000/- was also given to other co-accused persons. All four persons were provided with visas and air tickets. On 06.05.2019, they traveled to Dubai. However, upon reaching there, they discovered that the visas issued to them were only tourist visas and no employment was arranged. Disappointed and without work, they were compelled to return to India. When they demanded a refund of the money paid, the accused persons not only refused but also assaulted them.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. The allegations as alleged in the FIR are false and fabricated and the petitioner has not committed any offence as alleged against him in the FIR. From perusal of the FIR, it appears that occurrence took place on 16.09.2019 and FIR was lodged on 01.10.2019 without assigning any plausible and convincing reason for a delay of about one month, which creates serious doubt about the prosecution case. There is no specific allegation levelled against the petitioner and there is no chit of paper to suggest that the informant has given any amount to the petitioner.



5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, there is no specific allegation against the petitioner and the petitioner has clean antecedent, 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, West Champaran at Bettiah in connection with Majhauria P.S. Case No. 509 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other 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 absence on two consecutive dates without sufficient reason, his 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 bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

tusharika/-

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

