

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54009 of 2025

Arising Out of PS. Case No.-329 Year-2022 Thana- RAJGIR District- Nalanda

Md. Jafer Imam @ Md. Shamim @ Jafar Imam Son of Javarul Hassain
village- Muslim Tola Jhirkaiya Po- Gomiyan Ps- Gomiyan, Ps- Kathara Op,
Dist- Bokaro (Jharkhand)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanjay Dusadh son of Late Ramsawrup Dusadh village- Hasanpur, ps-
Rajgir, Dist- Nalanda

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Yadav, Advocate
For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 21-01-2026 Heard learned counsel for the petitioner and learned
APP for the State. Despite valid service of notice nobody
appears on behalf of O.P. No. 2.

2. The petitioner seeks bail in anticipation of his arrest
in connection with Rajgir P.S. Case No. 329 of 2022 instituted
for the offences punishable under Sections 420 and 406 of the
Indian Penal Code.

3. The prosecution case is to the effect that the
informant has stated that he had given total of Rs. 16.5 lakhs to
the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated and the claim of the



informant is all false and concocted. The said fact is supported from perusal of the case diary wherein in paragraph-71, the I.O. of the case had been asking the informant to submit the document whereby the money was transferred to the petitioner. Despite notice sent to the informant, the informant did not turn up along with the passbook or Khata number or otherwise to show that the amounts were actually transferred in the account of the petitioner. It has been submitted that no case under Sections 406 and 420 of the IPC is made out. Lastly, it has been submitted that the petitioner has no criminal antecedent.

5. Learned APP appearing on behalf of the State has vehemently opposed the prayer for anticipatory bail.

6. Considering the facts aforesaid, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four 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 the learned District and Additional Sessions Judge-cum-Special Judge 1st, Biharsharif, Nalanda in connection with Rajgir P.S. Case No. 329 of 2022, subject to the conditions as laid down under Section 482 of the BNSS and subject to the



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;

(iii) in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will liable to be cancelled by the Court concerned;

(iv) 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 bonds of the petitioner. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of the same on in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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