

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41120 of 2016

Arising Out of PS.Case No. -39 Year- 2016 Thana -KUSHESHWARSTHAN District-
DARBHANGA

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1. Madho Yadav Son of Thakko Yadav Resident of Village- Kewatgama,
PS Kusheshwar Asthan , District Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER**

2 28-09-2016 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Kusheshwar Asthan Police Station Case No. 39
of 2016, disclosing offences under Sections 420, 467, 468
and 471 of the Indian Penal Code.

The Circle Officer of Kusheshwar Asthan (East)
is the informant. In connection with certain proceedings
pending before him, the petitioner is said to have submitted
certain documents, including certified copy of khatian,
which, on enquiry, has been found to be forged.

Learned Counsel, appearing on behalf of the
petitioner, has submitted that the petitioner had obtained
the certified copy through proper means and if forged

certified copy was supplied to him, the petitioner cannot be blamed.

I do not intend to comment upon the plea that acting bona fide, the petitioner received forged certified copy and submitted the same in a proceeding before the Circle Officer, which was, evidently, going to strengthen his case.

However, considering the aspect that the evidence to prove the case against the petitioner is documentary in nature and there is no likelihood of tampering with the said document by the petitioner, this application is allowed.

Let the petitioner, Madho Yadav, in the event of his arrest or surrender before the Court below within six weeks, 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 learned Sub Divisional Judicial Magistrate, Biraul, Darbhanga, in connection with Kusheshwar Asthan Police Station Case No. 39 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of

failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-c

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