

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51334 of 2015

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Chandra Shekhar Dwivedi Son of Sambhu Sharan Dubey @ Shambhu Dwivedi, Resident of Village Goh, P.S.- Goh, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha

For the Opposite Party/s : Mr. Rajendra Pd. Nat(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 17-02-2016 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Daud Nagar P.S. Case No. 358 of 2013 registered for the offences punishable under Sections 457, 468, 406, 420, 353, 120(B) and 34 of the Indian Penal Code.

Allegedly, in the record of Goh P.S. Case No. 132 of 2012 two pages were changed and on enquiry the informant came to know from peon, Sunil Kumar that the petitioner has forcibly taken away the record and made interpolation and changed two pages as on those pages there was no signature of presiding officer as seen and further year 2011 has been changed as 2012. After enquiry the informant came to know that the petitioner, co-

accused Wakil Dhruv Narain Ojha and Birendra Kumar Singh, informant of that case have committed interpolation and forgery.

Submission is of false implication and that as alleged interpolation was made on 26.11.2013, whereas in the bail application filed by the accused of Goh P.S. Case No. 132 of 2012, the said document was enclosed as annexure, which prima-facie indicates that forgery of document was made prior thereto. G.R. clerk who is the informant of this case, after due enquiry has been dismissed from service and co-accused Birendra Kumar Singh has already been allowed bail vide Cri. Misc. No. 16809 of 2015 and the petitioner being an advocate, suffering in custody since 09.09.2015

The learned A.P.P. submits that the petitioner being an advocate has committed such occurrence.

In the facts and circumstances stated above, considering the detention of the petitioner, now he is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned S.D.J.M., Daud Nagar, Distt. Aurangabad in connection with Daud Nagar P.S. Case No. 358 of 2013 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within

the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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