

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51721 of 2015

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1. Brij Bihari Singh, son of Late Mathura Singh, resident of Mohalla- Sri Krishna Nagar, P.O.- Arah, Police Station- Arah Town, District- Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.52028 of 2015

Arising Out of PS.Case No. -37 Year- 2013 Thana -SAHAR District- BHOJPUR

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1. Mangal Ram Son of Bacha Ram resident of Sital Tola, P.S.- Ara Town, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.51721 of 2015)

For the Petitioner/s : Mr. Pranav Kumar

For the Opposite Party/s : Mr. Khurshid Anwar (App)

(In Cr.Misc. No.52028 of 2015)

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Dasrath Mehta (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 11-01-2016 Above noted both applications have arisen out of one occurrence i.e. Sahar P.S. Case No. 37 of 2013 registered for the offences punishable under Sections 419, 420, 467, 468, 471 of the Indian Penal Code as such they have been heard together and are being disposed of by this common order.

Allegedly, the petitioner Mangal Ram after

impersonating real Mangal Ram and on the basis of forged certificate joined in Civil Surgeon Office, Bhojpur and his identification has been done by the petitioner Brij Bihari Singh, Clerk-cum-President, Bihar State 4th Grade Employees Association.

Submission is of false implication and that no offence as alleged is made out, the petitioner Brij Bihari Singh being Association Leader, in due course, identified, there was no intention, the petitioner Mangal Ram is real employee and has not deposited any forged certificate, he was appointed as 4th Grade Employee in Primary Health Centre, Sahar at Bhojpur and he gave his joining on 12.06.2009 with all relevant documents, the petitioner Mangal Ram has voluntarily surrendered on 21.08.2015 and is suffering in custody, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, the petitioners above named of both the cases are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with

two sureties of the like amount each to the satisfaction of Sri S. K. Pandey, J. M. Ist Class, Bhojpur in connection with Sahar P.S. Case No. 37 of 2013, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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