

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44412 of 2017

Arising Out of PS.Case No. -314 Year- 2017 Thana -LAHERIMUHALLA District- NALANDA
(BIHARSHARIFF)

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Ashok Choudhary Son of Late Sunder Choudhary, R/o Alamganj, P.S.-
Laheri, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajnish Kumar

For the Opposite Party/s : Mr. Sri Murlidhar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 16-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Laheri P.S.
Case No. 314 of 2017 for offences punishable under Sections 420,
467, 468 of the Indian Penal Code.

The prosecution case, as lodged by the police
personnel, is that on secret tip off that in Akash Studio illegal and
fake Adhar card, Voter I.D. and other certificates are being sold,
the police conducted a raid and seized various incriminating
articles. The petitioner was apprehended. Accordingly, a seizure
list was prepared.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal antecedent and has been falsely implicated in the aforesaid case. He submits that no overt act has been committed by petitioner and that charge-sheet has already been submitted, there is no allegation of tampering of the prosecution witnesses by the petitioner and the petitioner is languishing in custody since 30.07.2017. He submits that even the seizure list has not been prepared in accordance with Section 100 Cr. P.C.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record and that charge-sheet has already been submitted, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bihar Sharif, Nalanda in connection with Laheri P.S. Case No. 314 of 2017, subject to the conditions that:

- (1) Both bailors would be close relative of the petitioner having sufficient immovable property, who will file an affidavit stating their relationship with the petitioner.
- (2) If the petitioner indulges in an offence of



similar nature in future, the prosecution will be
at liberty to move the court below for
cancellation of his bail bonds.

(Nilu Agrawal, J)

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