

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16336 of 2016

Arising Out of PS.Case No. -126 Year- 2013 Thana -BAHADURPUR District- PATNA

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Mirtunjay Kumar son of Arjun Prasad Singh, resident of village-
Panchawati Nagar, P.S.- Bahadurpur, District- Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad

For the Opposite Party/s : Mr. J.N.Thakur(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 12-04-2017

The petitioner has renewed his prayer for bail in a case registered for the offences punishable under Sections 420, 466, 467, 468, 471, 474, 120B, 255, 256, 258, 259, 260 of the Indian Penal Code.

The prosecution case is that from the house registered in the name of the father of the petitioner, huge quantity of fake court stamps were recovered.

It is submitted by learned counsel for the petitioner that though earlier prayer for bail of the petitioner was rejected vide order dated 15.01.2015 passed in Cr. Misc. No. 23545 of 2014 by this Court but subsequent to that, a coordinate Bench of this Court granted bail to the father of the petitioner Arjun Prasad Singh vide Cr. Misc. No. 40210 of 2015 on whose name the house in question was registered from where the recovery of fake court stamps have been made as



contained in Annexure-3. It has further been submitted that though the petitioner is accused in two other cases of similar nature but he is on bail. A statement to that effect has been made in para 3 of the petition which reads as follows:-

“That the petitioner is an accused in
(1) Patrakar Nagar P.S. Case No. 206/13 U/s 420, 465, 466, 467, 468, 471, 477, 120B/34, 124(A), 473, 255, 256, 475, 258, 259, 260 of the Indian Penal Code and (2) Ram Krishna Nagar P.S. Case No. 151/13 dated 25.09.13 Under Sections 420, 465, 466, 467, 468, 471, 474, 120B, 34, 124(A), 473, 255, 256, 257, 475, 258, 259, 268 of the Indian Penal Code on the basis of raid conducted on 24.09.2013 and in both cases he is on bail except this there is no any other case against the petitioner.”

The petitioner is languishing in custody since 22.10.2013.

Mr. J.N. Thakur, learned counsel for the State submits that the father of the petitioner from whose house recovery was made, has been granted bail by a coordinate Bench of this Court.

In pursuance to the order of this Court, learned Additional Chief Judicial Magistrate-II, Patna City, vide Letter No. 49 dated 03.03.2017 has transmitted a report to the effect that still the case has not been committed to the Court of



Sessions.

Considering the fact that father of the petitioner from whose house the recovery was made, has been granted bail by a coordinate Bench of this Court and there is no likelihood of the trial being concluded in future, let the petitioner, above named, 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 of learned Additional Chief Judicial Magistrate, Patna City in connection with Bahadurpur P.S. Case No. 126 of 2013.

Learned Trial Court will positively cancel the bail bonds of the petitioner, if the petitioner defaults for two consecutive occasions during trial or gets substantially involved in similar nature of offence.

(Dinesh Kumar Singh, J)

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