

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3167 of 2017

Arising Out of PS.Case No. -765 Year- 2016 Thana -AHIYAPUR District- MUZAFFARPUR

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Manoj Kumar, S/o Raj Mangal Sah, R/o Vill- Koluha Pagamberpur, P.O.-
Koluha Pagembaerpur, P.S.- Ahiyapur, Distt- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar, Advocate.

For the Opposite Party/s : Mr. Ram Naresh Ray, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 04-02-2017

Heard learned counsel for the petitioner and the State.

The petitioner seeks anticipatory bail in a case
instituted for the offence under Sections 420, 467 and 468 of the
Indian Penal Code.

It is alleged that the petitioner who is the Proprietor of
the shop, without verifying the photo and Aadhar Card, issued the
SIM in the name of Sunil Kumar. On verification, it is found that
the said photograph was of one Budhan Thakur who is the veteran
criminal.

It has been submitted on behalf of the petitioner that
he has not committed any forgery. If the forgery has been
committed, it is committed by Budhan Thakur who has filed
forged document in the shop of the petitioner. It has further been



submitted that the petitioner has no criminal antecedent. Therefore, seeing the fact that the petitioner is the Proprietor of the shop who issued the SIM on the basis of photograph and Aadhar card which was later on, after investigation, found to be fraudulently filed by Budhan Thakur in the name of Sunil Kumar. This Court considers that it was bona fide mistake on the part of the petitioner.

Considering the facts and circumstances of the case, let the petitioner above named in the event of surrender within six weeks from the date of receipt of this order, in connection with Ahiyapur P.S. Case No. 765 of 2016, shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Muzaffarpur, subject to the conditions as laid down under Section 438 (2) Cr. P.C.

S.Ali/-

(Sanjay Priya, J)

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