

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21797 of 2019

Arising Out of PS. Case No.-431 Year-2018 Thana- GHOSI District- Jehanabad

BIRENDRA KUMAR SHARMA Son of Madan Sharma, Resident of Village
- Rampur, P.O. - Lakhawar, P.S.- Ghoshi, Distt - Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lakshmi Kant Sharma
For the Opposite Party/s : Mr.Ajay Mishra

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 08-04-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

In this case, the petitioner is seeking anticipatory bail in connection with Ghoshi P.S. Case No. 431 of 2018 registered for offence punishable under sections 420, 467, 468, 471, 196, 197, 198, 199, 201 and 120(B) of the Indian Penal Code.

The petitioner has obtained the employment on the basis of forged certificate and now he has been terminated from service.

The learned counsel for the petitioner submits that there is no chance of absconding and tampering with the evidence which is real evidence, as it is based on the documentary evidence with regard to his appointment and the certificate which he has filed during his employment.

Looking to the facts and circumstances of the case, the prayer for bail of the petitioner is allowed and he, in the event of



arrest or surrender before the court below within six weeks from today, is directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of 1st Sub-Judge-cum- Additional Chief Judicial Magistrate, Jehanabad in connection with Ghoshi P.S. Case No. 431 of 2018, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court. If the petitioner is found involved in similar type of allegation in future, the prosecution will have liberty to file an application for cancellation of his bail. Whenever the Police will call the petitioner for the purpose of interrogation/investigation, he would present himself, In case of failure, the prosecution will have liberty to make a prayer for cancellation of his bail before the court below.

(Shivaji Pandey, J)

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