

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23619 of 2020

Arising Out of PS. Case No.-99 Year-2020 Thana- FALKA District- Katihar

MD. SHARIK S/o Md. Farooque Resident of Village- Adampur, P.S.-
Krityanandnagar, District- Purnea.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gyanand Roy

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 14-09-2020 Heard Mr. Gyanand Roy, learned counsel for the
petitioner and Mr. Khurshid Anwar, learned Additional Public
Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with Falka
P.S. Case No. 99 of 2020 registered for the offence punishable
under Section 420, 467, 468, 471 and 474 of the I.P.C.

The allegation against the petitioner as per the First
Information Report lodged by the Block Development Officer is
that one Imamul Hassan came to the Block Office with the birth
certificate of one Shabnam Ara and enquired about the
genuineness of the same and upon enquiry it was found that the
birth certificate in the name of Shabnam Ara was fake. It has
been alleged that this birth certificate was prepared by the
petitioner. It has also been alleged that the informant along with



Police officials constituted a raiding party and the raiding party raided the house of one Md. Halim where the petitioner was found working on a laptop.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case at the behest of Md. Imamul Hassan. Shabnam Ara in whose name birth certificate was allegedly prepared by the petitioner, has not been examined by the Police. Learned counsel further submits that petitioner is a student studying in B.A. (English) Honours in Purnea College, Purnea and is having no criminal antecedent. Learned counsel also submits that Police after investigation has submitted charge-sheet and there is no likelihood that the petitioner will abscond or tamper with the evidence. Petitioner is in custody since 17.03.2020.

Having regard to the submissions made by the parties and taking into consideration the fact that petitioner is a student of B.A. (English) Honours, he is in custody since 17.03.2020 and the Police has submitted charge-sheet, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular 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,
Katiyar / concerned court in connection with Faka P.S. Case
No. 99 of 2020 on the following condition:-

*(i) that the petitioner shall
remain present on each and every date
during the course of trial and in case of
default on two consecutive dates on the
part of the petitioner, his bail bond shall
be liable to be cancelled.*

It is made clear that at the time of furnishing bail bond
all the parties shall follow the guidelines regarding lockdown
and social distancing.

(Anil Kumar Sinha, J)

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