IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No. 9454 of 2020

Ganesh Kirtania … Petitioner
Versus
The State of Jharkhand ⋯ Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mrs. J. Mazumdar, Advocate
: Mr. Rohan Mazumdar, Advocate
For the State : Md. Hatim, Addl. P.P.

Order No.02 Dated- 09.12.2020

Heard the parties through video conferencing.

Learned counsel for the petitioner personally undertakes to remove the defects as pointed out by the stamp reporter within two weeks after the lockdown period is over.

In view of the personal undertaking of the learned counsel for the petitioner, the defects pointed out by the stamp reporter are ignored for the present.

The petitioner has moved this Court for grant of bail in connection with Rajmahal (Radhanagar) P.S. Case No.131 of 2014 (G.R. No. 258 of 2014) registered under sections 419/420/468/471/34 of the Indian Penal Code and under section 12(A)/14 of the Indian Passport Act.

The learned counsel for the petitioner submits that it is alleged that some persons obtained passport in the name of Narayan Biswas, Sapan Mandal, Samir Biswas, Sajan Biswas, Manik Biswas, Sunil Biswas and two others though they never applied for any passport and the allegation against the petitioner is that the petitioner being the *Mukhiya* of *Shridhar Panchayat* has endorsed on his letter head, the signatures of the fake persons who claimed to be the said persons in whose names the passports have been issued. It is further submitted that the allegations against the petitioner are all false. It is then submitted that for issuance of passport, no recommendation of any *Mukhiya* is required. It is further submitted that the petitioner has identified those fake persons on the basis of Voter Identity Card and the bank pass book produced by them in good faith. It is then

submitted that in the Voter List also containing the photographs of the voters, published by The Election Commission of India, the same photographs of the fake persons is appearing and in this respect, the learned counsel appearing for the petitioner drew the attention of this Court to annexure-4 at page no.58 of the brief. It is next submitted that the passport has been issued on the basis of verification made by the police regarding the genuineness of the person and his address and police to save its skin has falsely implicated the petitioner by shifting the entire burden upon the petitioner. It is further submitted that the petitioner has neither cheated anybody nor fabricated any document and he has been in custody since 21.07.2020 as has been mentioned in paragraph no. 26 of the bail application. It is then submitted that the petitioner has no criminal antecedent as has been mentioned in paragraph no. 25 of the bail application. It is lastly submitted that the petitioner undertakes to cooperate with the trial of the case. Hence, it is submitted that the petitioner be admitted to bail.

The learned Addl. P.P. opposes the prayer for bail.

Considering the submissions of the counsels and the fact as discussed above, I am inclined to enlarge the above named petitioner on bail. Accordingly, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Rajmahal, in connection with Rajmahal (Radhanagar) P.S. Case No.131 of 2014 (G.R. No. 258 of 2014) with the condition that he will cooperate with the trial of the case.

(Anil Kumar Choudhary, J.)

Sonu-Gunjan/