

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30112 of 2020

Arising Out of PS. Case No.-278 Year-2020 Thana- SAHARSA District- Saharsa

Alok Kumar, S/o Shyam Sundar Mahto, Resident of Village-Rupauli, P.O. and
P.S.- Lakhnaur, Distt- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parth Gaurav, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 06-01-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner is apprehending his arrest in connection with Saharsa P.S. Case No.278 of 2020 registered for the offence punishable under Sections 406, 409, 420, 467, 468 and 471 of the Indian Penal Code.

The case of the prosecution is that on the basis of forged marksheet, testimonials alleged to have been issued by the I.T.I., the petitioner has obtained appointment in the informant's Company.

Counsel for the petitioner submits that the petitioner has falsely been implicated in this case. The petitioner has discharged his duties for the period during which he has been paid salary by the Company and on discovery of the allegations



made against him, he has voluntarily resigned from the service to establish his *bona fides* as he was misled in to using the certificate under *bona fide* belief that it was genuine. The petitioner has no criminal antecedents.

Learned APP for the State has opposed the prayer for pre-arrest bail.

Considering the rival submissions, this Court is inclined to allow petitioner's prayer for grant of anticipatory bail.

Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, 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 the learned Chief Judicial Magistrate, Saharsa, in connection with Saharsa P.S. Case No.278 of 2020, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.



(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner’s counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

PNM

U		T	
---	--	---	--

