

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2715 of 2022

Arising Out of PS. Case No.-512 Year-2021 Thana- ISLAMPUR District- Nalanda

VINOD YADAV Son of Sukhdeo Yadav Resident of Village - Khedan Bigha,
P.S. - Islampur, District - Nalanda (Bihar).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arbind Kumar, Adv
For the Opposite Party/s : Mr.Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-05-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offence punishable under Sections 467,468,471,420 of the IPC.

The prosecution case, in short, is that the informant instituted the case against one Dukhni Devi wife of Late Baudhu Yadav(2) Kishori Yadav (3) Mithilesh Yadav (4) Kamlesh Yadav (5) Ramji Yadav (6) Anil Yadav all sons of Late Baudhu Yadav, Village- Khedan Bigha, P.S.- Islampur, District Nalanda stating therein that the above persons executed a sale deed dated 01.06.1983 after death of Mahaveer Gope on 15.05.1983 and



Vinod Yadav produced death certificate of Mahaveer Gope and when I.O. Rabindra Prasad Rai investigated the said death certificate and send a letter dated 29.06.2021 to B.D.O. Islampur then B.D.O. Islampur sent a letter vide letter No.860 dated 01.07.2021 to Panchayat Secretary Bardiha for enquiring into the matter about the death certificate but its signature and stamp found forgery. It is further stated that on the basis of enquiry the I.O. Rabindra Prasad Rai/informant found Vinod Yadav who is informant in Islampur P.s.Case No.71 of 2020 is/was produced forged document hence prayer to the Officer Incharge Islampur P.S. for instituting the FIR against Vinod Yadav.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that in fact the informant is Patidar of the petitioner and he has falsely been implicated in the present case without any basis. He further submits that the informant has not annexed the sale deed in question and it appears from the impugned order itself that the informant has annexed the death certificate of the father of the petitioner and during investigation it has come that the death certificate not issued by the competent authority and the petitioner is in custody since 20.11.2021.



Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, 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 learned Court below where the case is pending in connection with Islampur P.S. Case No.512 of 2021, with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order



shall not be delayed for purpose of or in the name of
verification.

(Rajesh Kumar Verma, J)

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