

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12561 of 2022

Arising Out of PS. Case No.-363 Year-2019 Thana- CIVIL LINE District- Gaya

SARVAN KUMAR, Son of Late Krishna Mahto Resident of Village -
Dhandhwa, P.S. - Bodh Gaya, District - Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nand Kishore Prasad Sinha

For the Opposite Party/s : Mr.Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 29-06-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with Civil
Lines P.S. Case No. 363 of 2019, registered for the offences
punishable under Sections 467, 468, 471, 420 and 120 (B)
of the Indian Penal Code.

As per allegation, the petitioner and his associates
had tried to make an interpolation in the sale deed when it
has been produced for registry.

The learned counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated in
this case. He has further submitted that there is no specific



allegation against the petitioner and merely on suspicion, he has been made accused in this case. It has further been submitted that two co-accused persons, namely, Rishikesh Deo and Amit Kumar Sinha have already been granted bail by a Bench of this Court *vide* order dated 25.02.2021 and 04.03.2021, passed in Cr. Misc. No. 33726 of 2020 and Cr. Misc. No. 34162 of 2020.

The petitioner is in custody since 11-01-2022.

It is also stated in paragraph no. 2 of the petition that the petitioner has not moved earlier before this Hon'ble Court for grant of anticipatory bail or regular bail.

It has further been stated that the petitioner has no criminal antecedent.

However, the learned APP for the State has opposed the prayer for bail.

In view of the aforesaid facts and circumstances, the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate,



Gaya in connection with Civil Lines P.S. Case No. 363 of 2019 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court



below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

The application stands allowed accordingly.

The learned counsel for the petitioner is directed to remove all the defects pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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