

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30139 of 2022

Arising Out of PS. Case No.-278 Year-2022 Thana- BANKA District- Banka

VIKASH KUMAR SAH Son of Dinesh Prasad Sah Resident of Village -
Shitalpur, Police Station - Banka, District - Banka (Bihar).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee

For the Opposite Party/s : Mr.Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 23-08-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within one

month.

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the

offences punishable under Sections 420, 467, 468, 471, 225 and

120B of the Indian Penal Code.

As per allegation, petitioner and co-accused Panchu Yadav

produced surrender/ bail slip purported to having been issued by the

Chief Judicial Magistrate's office, Banka and tried to get one accused

Indradev Darbey @ Indradev Yadav released on the basis of alleged

fake surrender/ bail slip and the said Indradev Darbey @ Indradev

Yadav was in custody in connection with Banka P.S. Case no. 33 of

2020.

The main submissions advanced by Sri Ajay Mukherjee,



the learned counsel appearing for the petitioner are that the petitioner is a practising advocate of civil court, Banka and alleged surrender slip was produced by his client Panchu Yadav and the same was *bonafidely* used by this petitioner and he had no knowledge about the said document being a forged document and main allegation is against Panchu Yadav who might have forged alleged surrender slip. Further submission is that against the petitioner, there is one criminal antecedent in which he is on bail and in the present case, he has been languishing in jail since 2.5.2022 and he has been charge sheeted.

Sri Ram Anurag Singh, learned APP appearing for the State has opposed the prayer for bail.

In view of the above submissions and considering petitioner's the defence that forged surrender slip was produced by his client which was bonafidely used by this petitioner and also considering the stage of the petitioner's case, in my view, a lenient approach can be taken in respect of the petitioner. Let the petitioner 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 Chief Judicial Magistrate, Banka in Banka P.S Case No. 278 of 2022.

(Shailendra Singh, J)

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