

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37264 of 2022

Arising Out of PS. Case No.-214 Year-2009 Thana- GAYA KOTWALI District- Gaya

Navlesh Sharma Son Of Late Kameshwar Singh R/O Mohalla- Lakhibagh,
P.S.- Muffasil And District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No.2, Adv.

For the Opposite Party/s : Mr. Rajendra Singh Shastri, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-09-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Kotwali P.S. Case No. 214 of 2009 lodged under Sections 420,
467, 468, 471 and 120(B) of the I.P.C.

As per the prosecution case, the allegation made in the
F.I.R. against the present petitioner is that he has accepted the
joining of the petitioner on the basis of transfer letter which was
alleged to be fraud and not genuine.

Learned counsel for the petitioner submits that he is
the Government employee and was posted at P.S. Dumariya,
District Gaya. It has been submitted that the accused person had

came to his office with a transfer letter and on the basis of which he has accepted the joining but subsequently, it has been found that the alleged transfer letter itself was forge and fabricated. Learned counsel for the petitioner submits that he is not the Competent Authority to verify the letter. He is simply an employee of Primary Health Center and he cannot deny to work upon direction of superiors. He is completely innocent and has committed no offence. Learned counsel further submits that petitioner is in custody since 24.03.2022, charge sheet has already been filed in this case. There is one case pending against him in which he is on bail.

Learned counsel for the State opposes the prayer for bail by virtue of supplementary affidavit, learned counsel has submitted a statement on record that he has filed anticipatory bail application twice and both time it was discussed.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Kotwali P.S. Case No. 214 of 2009, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with

other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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