

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40027 of 2022

Arising Out of PS. Case No.-245 Year-2022 Thana- KOTWALI District- Munger

ANISH KUMAR S/o Pavan Roy R/o village- Shivkund, P.S.- Dharahra,
District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar, Advocate

For the Opposite Party/s : Mr.Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-10-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The case is registered under sections 419, 420, 467,
468 and 120(B) of the Indian Penal Code, in connection with
Kotwali P.S. Case No. 245 of 2022.

The prosecution story, in brief, is that on 4.6.2022,
the informant was authorized for registration of the candidates
for the appointment of Home Guard and in course of physical
eligibility test found a suspected person talking to one of the
candidates. Upon enquiry, it was found that they were trying to
fabricate the documents for the purpose of qualifying the test.
The informant further got knowledge that the petitioner herein



was unable to qualify the test and as such with the help of one Manish Kumar he was trying to qualify the test illegally and for the said purpose there was having a money transaction of Rs. 1,50,000/-.

Learned counsel for the petitioner submits that for the alleged occurrence, he has already suffered by being in custody since 5.6.2022, he do not have any criminal antecedent and the charge-sheet has been submitted.

Taking into account the aforesaid facts that the petitioner is 21 years of age, has no criminal antecedent, is in custody since 5.6.2022, the charge-sheet stands submitted and ultimately he has to face the trial, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Munger, in connection with Kotwali P.S. Case No. 245 of 2022 subject to the following conditions:

- (i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;
- (ii) the petitioner shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Ravi/Ajay Singh

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