

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54723 of 2021

Arising Out of PS. Case No.-15 Year-2021 Thana- GHOGHARDIHA District- Madhubani

SANJIB KUMAR @ SANJEEV KUMAR S/O RAMAUTAR SINGH R/o
village- Pure, P.O. and P.S.- Lakhnaur, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajiv Shankar Divedi, Adb. Mr. Nagadeo Choubey, Adv.
For the Opposite Party/s	:	Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-01-2022 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 the learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in connection with Ghoghardiha P.S. Case No. 15 of 2021 registered for the offence under Sections 420, 467, 468 and 471 of the Indian Penal Code.

The petitioner is said to have obtained employment on the post of Switch Board Operator in the Electricity Department on the basis of forged and fabricated certificate of I.T.I. Further, he is said to have resigned from his service.

Learned counsel appearing for the petitioner submits that the petitioner, who is of clean antecedent, is innocent and



has falsely been implicated in this case. As a matter of fact, the petitioner was appointed on the post of Switch Board Operation in Koshi Electric Supply Area on contractual basis and at the time of his appointment, his entire certificates had thoroughly been verified by the department and after proper verification and due diligence, he has been appointed on the aforesaid post. But after due course, his certificates are said to be forged and fabricated by the department for which the petitioner has been prosecuted in this case, although he has voluntarily resigned from his service. He also submits that the accused of other district having similar allegation has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 06.01.2021 passed in Cr. Misc. No. 30112 of 2020 and this petitioner is rotting in judicial custody since 20.05.2021. The petitioner, who is sole bread earner of his family, seeks sympathetic consideration of this Court, hence, he may be enlarged on bail.

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, above named, 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 learned



A.C.J.M.-I, Jhanjharpur in connection with Ghoghardiha P.S. Case
No. 15 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 canceled 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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