

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57917 of 2021**

Arising Out of PS. Case No.-127 Year-2020 Thana- DUMRAO District- Buxar

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DASHRATH KAMKAR @ KASHI S/o RAM BHAROSA RAM KAMKAR
R/o MOHALLA- PATI KURMI KI GALI DUMRAON, P.O-DUMRAON,
P.S- DUMRAON, DISTRICT-BUXAR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Choubey

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-02-2022 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State in virtual court
proceeding.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Dumroan P.S.
Case No. 127 of 2020 registered for the offences punishable
under Sections 406, 420, 467, 468, 471, 448, 506, 34 of the IPC.

As per FIR, the main allegation of cheating is against
co-accused Ramlal Goswami, who is the cousin brother of the
informant. Allegation against the petitioner is that Ramlal
Goswami made forged Aadhar Card in the name of the



petitioner impersonating him as Dashrath Chaudhary and got registered the land by fake person.

Learned counsel for the petitioner submits that petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case. It is further submitted that it appears from the FIR that the allegation against the petitioner is that one Ramlal Goswami who is main culprit in this case made forged Aadhar Card in the name of the petitioner impersonating him as Dashrath Chaudhary and got registered the land by fake person. He further submits that petitioner is not beneficiary of the said transaction. He further submits that co-accused Ramlal Goswami is the main beneficiary in the present case who has cheated the informant as well as the present petitioner. He further submits that co-accused Ramlal Goswami and Dharmshila Devi @ Savita Devi have been granted privilege of anticipatory bail by a co-ordinate Bench of this court vide order dated 03.08.2021 passed in Cr. Misc. No. 22918 of 2021. Petitioner is in custody since 27.03.2021.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances, let



the petitioner, above named, 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 learned Additional Sessions Judge-III, Buxar in connection with Dumraon P.S. Case No. 127/ 2020, subject to 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled 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.

3. 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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