

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48873 of 2022**

Arising Out of PS. Case No.-264 Year-2022 Thana- BAKHTIYARPUR District- Patna

Sohan Kumar Son of Late Ramvriksh Mochi Resident of village - Dedaur,  
P.S.- Bakhtiyarpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar Kashyap, Advocate  
For the Opposite Party/s : Mr. Parmeshwar Mehta, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      12-12-2022      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

Learned counsel for the petitioner is permitted to  
remove the defect(s), as pointed out by the office, if any, within  
a period of four weeks from today.

The petitioner is apprehending his arrest in a case  
registered for the offences punishable under Sections 420, 467,  
468 and 471 of the Indian Penal Code.

According to the prosecution case, the petitioner  
got a P.D.S. shop with the help of forged document of his father  
related to age proof and got the compassionate benefit of his  
father.

Learned counsel for the petitioner submits that the  
petitioner has clean antecedent and he has falsely been



implicated in the present case. He further submits that he has got P.D.S. dealership on the basis of compassionate appointment. He further submits that the allegation against the petitioner is that he filed forged and fabricated document for obtaining the P.D.S. dealership on compassionate ground. He further submits that the petitioner has filed the documents as furnished by the competent authority and the petitioner has not furnished any false and fabricated documents. He further submits that after filing of the present F.I.R., the dealership in question of the petitioner has been terminated by the competent authority.

The learned counsel for the State has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 Court below where the case is pending in connection with Bakhtiyarpur P.S. Case No. 264 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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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