

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66368 of 2021

Arising Out of PS. Case No.-431 Year-2021 Thana- SIWAN MUFFASIL District- Siwan

Subodh Kumar Son Of Gulab Chand Yadav Resident Of Village - Khutaha,
P.S.- Lodhipur, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Arjun Prasad Mr. Ajay Thakur
For the State	:	Mr.Mithlesh Kumar Khare APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 04-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the state.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks from the date of resumption of
physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in
connection with Siwan Mufassil P.S. Case No. 431 of 2021
registered for the alleged offences under Section 420, 467, 468,
471 and 120B of the Indian Penal Code.

The prosecution case is that the petitioner got himself
appointed as Constable in Bihar Police by getting another
person to appear in his place. The said person joined the duty
and after one and a half year, this petitioner started working in



place of that person. Further allegation against the petitioner is that he produced forged certificates regarding his educational qualifications.

Learned Counsel for the petitioner submits that the petitioner has been falsely implicated in the case for an offence which he has never committed. The certificates produced by the petitioner are all genuine but the prosecution has not taken any step to get the certificates verified from the concerned authorities. The petitioner passed the matriculation examination in 1st division and the intermediate examination with 2nd division and the allegation on this count are all false. The prosecution has failed to produce the person who allegedly appeared on behalf of this petitioner for examination and even worked for one and a half year as alleged. This makes the prosecution story very doubtful. The whole prosecution case is based upon the confessional statement of the petitioner which has got no legal value. Charge-sheet has been submitted in this case. The petitioner has got clean antecedent and he is in custody since 05.09.2021.

Learned A.P.P. has opposed the prayer for bail of the petitioner submitting that a number of variations have been found in the documents connected with the relevant examination



and also in the certificates produced by this petitioner. However, he admitted that charge-sheet has been submitted in this case against the petitioner.

Having regard to the submissions made hereinabove and considering the fact that charge-sheet has been submitted in this case and further considering the period of custody of this petitioner, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Siwan Mufassil P.S. Case No. 431 of 2021, subject to the following conditions :

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

Gautam

U		T	
---	--	---	--



