

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69849 of 2021

Arising Out of PS. Case No.-281 Year-2021 Thana- BAKHARI District- Begusarai

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Santosh Khalifa @ Santosh, Son of Shri Nageshwar Khalifa, Resident of
Village - Vikram Nadel, Mirrcallapur (Mirkalapur) Ward No. 5, P.S. - Bakhri,
District - Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sarbottam Kumar Sarkar, Advocate

For the Opposite Party/s : Mr. Amitesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 10-10-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Bakhri P.S. Case No. 281 of 2021 registered for
the alleged offences under Sections 420, 468, 471 and 120(b) of
the Indian Penal Code.

As per prosecution case, the petitioner is stated to
have forged the caste certificate of his sons with the help of
other co-accused persons.

The learned counsel for the petitioner submits that the
petitioner belongs to *Mahadalit* category of the Scheduled Caste



and belongs to the *Nat* community. The petitioner approached the *vasudha kendra* for filling an online application for getting the caste certificate and he was told by the co-accused person that he would get his caste certificate prepared and later on the said co-accused provided him with the said aforesaid certificate. The fraud was committed by the co-accused persons otherwise the petitioner has no reason to forge the caste certificate as he himself belongs to *Mahadalit* category of scheduled caste. The petitioner has some suspicion over the genuineness of the certificate and he himself approached the Circle Officer to verify the certificate given to him by the co-accused persons and came to know that the certificate issued by co-accused is forged and fabricated. But the petitioner has no role in fabrication of his caste certificate. The petitioner is in custody since 28.09.2021 and charge-sheet has been submitted.

Learned APP opposes the submission made on behalf of the petitioner.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that there appears doubt over involvement of the petitioner in committing the forgery and fabricating the certificates and further considering his period of custody and the submission of



charge-sheet against him, 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, Begusarai in connection with Bakhri P.S. Case No. 281 of 2021, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and 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 on 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)

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