

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70991 of 2021

Arising Out of PS. Case No.-214 Year-2021 Thana- KATORIYA District- Banka

SAURABH SINGH @ SAURABH KUMAR SINGH Son of Abhimanyu Prasad Singh Resident of Village - Katoria, P.O. and P.S.- Katoria, Distt.- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar, Adv.

For the Opposite Party/s : Mr.Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-04-2022 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 a case registered for the offence under Sections 420, 467, 468, 471, 353 and 120-B of the Indian Penal Code.

The petitioner is said to have used to prepare forged deed and Hukmnama regarding Government land for the purpose of disorienting the local people of Katoriya block. It is further alleged that a land survey was going on in Katoriya block and the said accused person on the basis of forged document used to make obstruction in discharge of the duty of public servant.



Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that, as a matter of fact, the petitioner happens to be a witness in a Complaint Case No. 921 of 2019 in which the then SHO and the Circle Officer, Katoriya were made accused and on account of that, this petitioner has falsely been implicated in this case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. He further submits that several cases have been filed against the petitioner for the same set of facts but the petitioner is all along on bail in each and every cases. He further submits that not a single chit of paper with regard to any government land or Hukumnama has been created by the petitioner. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 02.09.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries five more cases other than the present one.

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 Court below where the case is pending in connection with Katoria P.S. Case



No. 214 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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