

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14718 of 2023

Arising Out of PS. Case No.-83 Year-2022 Thana- ARIYARI District- Sheikhpura

MD SADAF KAMRAN @ MO SADAF KAMRAN, S/o Shahid Kamran, R/o Special Serve Camp, Panchayat Sarkar Bhawan, Kasar, P.S.- Ariyari, Distt-Sheikhpura. At present resident of Chhaurahi, P.S.- Babubarahi, Distt-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikas Kumar Jha, Advocate

For the Opposite Party/s : Mr. Ajay Mishra, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 24-05-2023 Heard learned counsel for the petitioner and learned
APP for the State of Bihar.

The petitioner is apprehending his arrest in connection with Ariyari P.S. Case No. 83 of 2022 instituted for offence under Sections 420, 467, 468, 471, 406 and 34 of Indian Penal Code.

As per prosecution case, there is allegation of obtaining contractual appointment as a “Special Survey Amin” based on forged documents.

Learned counsel for the petitioner submits that the petitioner has already lost the job that he had obtained. The documents were not forged and have repeatedly been submitted by the petitioner for verification to the Authorities. The



petitioner is stated to be a man of clean antecedents and several sweeping allegations similar in nature have been made against other accused persons, who have been allowed privilege of anticipatory bail, such as *Binda Kumar* and *Jai Shankar Gond* in *Cr. Misc. Nos. 54458 of 2022* and *72611 of 2022*, respectively.

Learned APP for the State has opposed the prayer for bail. It is submitted that the allegation is specific and the petitioner has obtained benefits derived by forged documents with full knowledge.

Considering the rival submissions, petitioner's claim based on parity and clean antecedent, this Court is inclined to allow petitioner's prayer for grant of anticipatory bail.

Petitioner's prayer for anticipatory bail is allowed.

Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sheikhpura, in connection with Ariyari P.S. Case No. 83 of 2022, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:



- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.
- (ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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