

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10973 of 2023**

Arising Out of PS. Case No.-684 Year-2022 Thana- GARDANIBAG District- Patna

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INDRADEO KUMAR S/O DANGAL YADAV @ DAYAL YADAV Resident
of Village- Mahanandpur, P.S.- Deep Nagar, District- Nalanda .

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam, APP

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

3 24-06-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
16.11.2022 in connection with Gardanibagh P.S. Case No.
684/2022, F.I.R. dated 15.11.2022, for the offences punishable
under Sections 419, 420, 467, 468, 120(B) of the IPC.

According to prosecution case, in course of bio-metric
verification, it was found that the petitioner along with co-
accused, namely, Aman Raj have fraudulently pass the written
examination for the post of Fireman vide Advertisement
No.01/2021 of Central Selection Board of Constable.

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 the



allegation as alleged in the F.I.R. is false and fabricated and no such occurrence has taken place. He further submits that without any verification, the informant has alleged that in the written examination, in place of examinees, some other persons have appeared in the examination and the signature of the petitioner was found differ from the signature, which was taken at the time of written examination and the similarly situated co-accused, namely, Aman Raj, against whom, there is also same allegation has been granted bail by a co-ordinate Bench of this Court vide order dated 15.05.2023 passed in Cr. Misc. No.12089/2023. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 16.11.2022.

Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 Sri Shivam Singh, J.M. 1st Class, Patna in connection with Gardanibagh P.S. Case No. 684/2022, subject to 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 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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