

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14965 of 2023

Arising Out of PS. Case No.-333 Year-2018 Thana- ARWAL District- Jehanabad

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Ram Vinay Prasad @ Vinay Prasad Son Of Ramdeep Yadav R/V- Rewan,
P.S.- Masaurhi, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lallu Prasad, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-05-2023 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

The accused/petitioner is not named in the F.I.R. and
apprehended his arrest in connection with Arwal P.S. Case
No.333 of 2018 registered for the offences punishable under
Sections 420, 467, 468 and 471 of the Indian Penal Code.

The allegation against the petitioner is to issue fake
joining letter to several persons, including informant, alongwith
other named co-accused persons for a job in Civil Court, Arwal,
against Group C & D posts.

Learned counsel appearing on behalf of the petitioner
submitted that thrust of allegation is available against co-
accused namely, Pravesh Kumar and Dina Nath Raushan, who



were apprehended on spot. It is submitted that petitioner is a poor farmer, where main co-accused obtained the mobile number on the basis of copy of Aadhar Card of this petitioner and on that basis, petitioner was implicated with present case during the course of investigation. It is submitted that petitioner himself is victim of circumstance, not alleged with any specific allegation except that SIM card which was used by the main co-accused persons for their conversation, was registered in the name of this petitioner. It is also submitted that main co-accused person has already been granted regular bail by one the learned Co-ordinate Bench of this Court through Cr. Misc. No.18423 of 2019 vide order dated 29.03.2019. While concluding the argument it is submitted that petitioner is a man of clean antecedent.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned above as thrust of allegation is not available against this petitioner, where implication is only for the SIM card, which was used, *prima facie*, by main co-accused, accordingly the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, is



directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Munsif-cum-Judicial Magistrate-1st Class, Arwal/concerned Court below where the case is pending in connection with Arwal P.S. Case No.333 of 2018 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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