

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23706 of 2023

Arising Out of PS. Case No.-23 Year-2012 Thana- MOTIHARI MUFASIL District- East
Champaran

=====

Mukesh Pathak Son of Late Lalan Pathak, R/V- Maruabad, P.S.- Mehshi,
Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 06-06-2023 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Motihari Muffasil P.S. Case No. 23 of 2012 (Tr. No. 3791 of
2019, Tr. No. 461 of 2022) dated 17.01.2012 lodged under
Sections 414, 419, 420, 467, 468, 471 and 474/34 of the I.P.C.

As per the prosecution, the series of articles have been
recovered from possession of the petitioner. It is alleged that the
said documents which is being recovered are basically alleged
to be forged and fabricated documents.

Counsel for the petitioner submits that petitioner is in

custody since 17.01.2012 in this case i.e. about more than 10 years. He further submits that charge has already been framed in this case on 09.11.2022. Counsel further submits that the police authorities are filing criminal cases against the petitioner repeatedly and presently there are 27 criminal cases pending against the petitioner. Counsel specifically submits that in 3 cases petitioner has been acquitted, in one case he has been convicted and in rest of the cases he is on bail.

Learned counsel for the State opposes the prayer for bail.

Upon considering the facts and circumstances and specifically considering the period of custody, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate Ist Class, Mahzavi Naj, Sadar, Motihari, East Champaran in connection with Motihari Muffasil P.S. Case No. 23 of 2012 (Tr. No. 3791 of 2019, Tr. No. 461 of 2022), subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date

fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

ravishankar/-

U		T	
---	--	---	--