

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25660 of 2023

Arising Out of PS. Case No.-124 Year-2022 Thana- BEERPUR District- Begusarai

Shambhu Paswan @ Shambhu Kumar, Son of Triveni Paswan, Resident of
village - Bagha, Ward No.- 25, P.S.- Lohiyanagar, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saroj Kumar Sharma, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Birpur P.S. Case No. 124 of 2022 registered on 16.09.2022 for the alleged offences under Sections 417, 468, 469 and 471 of the Indian Penal Code.

3. As per prosecution case, petitioner who has been working as an employee of a private hospital issued fake medical certificate in the form of injury report of one Hira Devi with the help of other co-accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Petitioner is merely a compounder in a hospital and he has no knowledge about writing of the injury report. He has been



made scapegoat in the present matter. Injury report was issued by the doctor concerned but in order to save the doctor, petitioner has been named in this case. Petitioner is in custody since 04.01.2023 and charge-sheet has been submitted. Petitioner is having criminal antecedent of a case under Sections 498(A) and 494 of IPC.

5. Learned APP opposes the prayer for bail submitting that the petitioner has issued fake certificate in order to implicate some persons in a false case.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-cum-Additional Munsif, Begusarai/concerned court in connection with Birpur P.S. Case No. 124 of 2022, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.



(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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