

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24967 of 2023

Arising Out of PS. Case No.-855 Year-2020 Thana- COMPLAINT CASE District- Banka

TARKESHWAR PRASAD SINGH @ TARKESHWAR SINGH Son of Late Sachhidanand Singh Resident of village-Kurmadih, P.S.-Shambhuganj, District-Banka

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. DEVENDRA KUMAR SINGH Son of Late Krityanand Singh Resident of village-Raypura, Post-Chatmadih, P.S.-Shambhuganj, District-Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Jha, Adv.
For the Opposite Party/s : Mr.Harendra Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 14-07-2023 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 323, 325, 380, 504, 420, 465, 406, 34 of the Indian Penal Code.

3. The allegation against the petitioner, as per the complaint petition, is that one Ashutosh Singh along with the petitioner and others issued fake death certificate of the complainant Devendra Kumar Singh.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. Petitioner is Sarpanch of Kurma Gram Panchayat,



Shambhuganj, Banka. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The real fact of the case is that one Ashutosh Kumar who is son of the complainant made an affidavit before Notary Magistrate, Banka regarding the death of his father-complainant and this petitioner, having full faith on co-accused Ashutosh Kumar, put his signature in the witness column in the alleged death certificate. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Per contra, learned APP for the State vehemently opposing the bail petition submitted petitioner was also involved in the present case.

6. Considering the facts and circumstances of the case as well as arguments of the parties, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Complaint Case



855 C/2020, subject to the condition as laid down under Section
438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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