

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26039 of 2023

Arising Out of PS. Case No.-133 Year-2002 Thana- SUPAUL District- Supaul

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BECHAN KAMAT SON OF LATE DHANESHWAR KAMAT R/O
VILLAGE- CHAIN SINGH PATTI, P.S.- SUPAUL, DISTRICT- SUPAUL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Naresh Kumar Mehta,Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-07-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
01.02.2023 in connection with Supaul P.S.Case No.133 of
2002, G.R.No.341 of 2002, F.I.R. dated 09.05.2002 registered
for the offence punishable under Sections 420,406,409,467,468
and 471 of IPC.

3. The prosecution case, in shot is that, the allegation
against the petitioner is of creating the forgery in the
Government Paper like pension payment register by cutting the
name of real beneficiaries and mentioning the name of forged
persons and also entering the name of other 31 persons illegally
for taking benefit of pension.

4. Learned counsel appearing for the petitioner



submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR and in fact the police, after investigation, submitted the final form on 31.08.2012 vide Final Form No. 569 of 2012 in favour of the petitioner. Learned counsel for the petitioner submits that after the final form the petitioner has no apprehension, so he has not taken care of the case and suddenly 83 Process has been received and thereafter the petitioner has surrendered before the learned Trial Court on 01.02.2023. Further submits that no material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present case and even the petitioner is not the Government Servant.

5. Learned APP for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, 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 learned Sub Divisional Judicial Magistrate, Supaul in connection with Supaul P.S.Case No.133 of 2002, G.R.No.341 of 2002,with the following conditions:-



(I) 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) 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.

(III) 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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