

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28783 of 2023

Arising Out of PS. Case No.-146 Year-2023 Thana- CIVIL LINE District- Gaya

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RAJEEV KUMAR @ RAJU SON OF KAYAS SINGH RESIDENT OF
VILLAGE- MAHAMATPUR, PS- PARAS BIGHA, DISTT- JEHANABAD

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Adv. Mr. Vaishnavi Singh, Adv. Mr. Ritwik Thakur, Adv.
For the Opposite Party/s	:	Mr. Arun Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 24-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with civil Lines
P.S. Case No. 146 of 2023 registered for the offence under
Sections 419, 420, 467, 468/34 of the Indian Penal Code.

As per the prosecution case, the petitioner and other
accused entered into conspiracy to secure success in physical
examination of one candidate Parmatma Kumar for the post of
Home Guard and in pursuance of said conspiracy petitioner along
with other accused prepared forged Aadhar Card of Parmatma
Kumar.

Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and
has falsely been implicated in this case. He further submits that



the allegation, as alleged in the F.I.R., is false and fabricated and the petitioner has not committed any offence. He further submits that on bare perusal of the F.I.R. it appears that the petitioner is alleged to have fraudulently arranged other candidates in place of others to appear in the selection process. He further submits that during investigation the petitioner has confessed his guilt before the police and Save and except his confessional statement, no cogent material has surfaced during course of investigation suggesting the involvement of the petitioner in the alleged occurrence. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. Moreover, co-accused, Raj Kumar @ Tuntun has already been granted bail by a co-ordinate Bench of this Court vide order dated 07.07.2023 passed in Cr. Misc. No. 35376 of 2023. The petitioner is rotting in judicial custody since 03.03.2023.

Learned A.P.P. for the State on the basis of material available on record and the case diary vehemently opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 Judicial Magistrate-1st Class in connection with Civil Lines P.S. Case No. 146 of 2023 with the following conditions:-



(1) 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 canceled by the Court below.

(2) 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.

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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