

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35376 of 2023

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

RAJ KUMAR @ TUNTUN son of Sri Kant Singh Village- Rukunpur Ps-
Guraru Dist- gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh

For the Opposite Party/s : Mr.Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 07-07-2023 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 offences
punishable under Sections 419, 420, 467, 468/34 of the Indian
Penal Code.

As per prosecution case, petitioner and other
accused persons 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 for the petitioner submits that
petitioner is quite innocent and has not committed any offence



as alleged in the FIR. Petitioner is in custody since 03.03.2023 and bears no criminal antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that petitioner was only spectator of ongoing physical test of Home Guard but he was apprehended by the police on mere suspicion.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Gaya in connection with Civil Lines P.S. Case No. 146 of 2023, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.



(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(iv) If the petitioner is found involved in similar nature of offences in future, the learned trial court shall be at liberty to cancel his bail bond.

(Alok Kumar Pandey, J)

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