

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45226 of 2023

Arising Out of PS. Case No.-15 Year-2019 Thana- C.B.I CASE District- Patna

Anand Sagar Kachhap S/O Sabulall Kachhap R/O Village- Baragawn @
Barigawan, Post and PS. Bhandaria, Dist. Garhwa, State-Jharkhand

... .. Petitioner/s

Versus

The Central Bureau Of Investigation/Acb/Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjiv Sharan, Advocate

For the CBI : Mr. Sourendra Pandey, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 17-08-2023 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the CBI.

2. Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

3. Petitioner seeks bail who is in custody since
10.06.2022 in connection with Special (RC) 115 of 2019 arising
out of RC No. 15(S) of 2019, F.I.R. dated 16.12.2019 for the
offences punishable under Sections 120b, 420, 467, 468 and 471
of the Indian Penal Code.

4. According to prosecution case, this petitioner on
the basis of forged document is suspected to get appointment as
GDMC under Rohtas postal division which has been issued
from Bihar Sanskrit Shiksha Board, Patna.



5. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that from perusal of the F.I.R it appears that the petitioner has got government service on the basis of the certificate issued by the Bihar Sanskrit Shiksha Board, Patna. He further submits that he has obtained the certificate from the competent board/ university and he has not submitted any false certificate before the competent authority. He further submits that the authority after due verification of all the documents, issued the appointment letter in favor of the petitioner. The petitioner is in custody since 10.06.2022.

6. The learned counsel for the CBI has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner has initially submitted the false certificate for obtaining the government service and at present out of 9 charge sheet witnesses 7 witnesses have been examined by the learned Trial Court.

7. Considering the aforesaid facts and circumstances and period of custody, 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 the learned Exclusive Magistrate/CBI, Patna in connection with Special (RC) 115 of 2019 arising out of RC No. 15(S) of 2019, subject to 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 absence on two consecutive dates without sufficient reason, his 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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