

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43151 of 2023

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

PARMATMA KUMAR Son of Satyendra Singh Resident of Village and P.O.-
Kapsiya, P.S.- Paraiya, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jawed Gaffar Khan

For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Civil Line P.S. Case No. 146 of 2023 registered for the offences
punishable under Sections 419, 420, 467, 468/34 of the Indian
Penal Code.

3. As per prosecution case, there is allegation
against the petitioner that he brought scholar for securing his
success in the physical test of Home Guard.

4. Learned counsel for the petitioner submits that
petitioner is quite innocent and has not committed any offence
as alleged in the FIR and he has falsely been implicated in this
case. Petitioner is in custody since 03.03.2023. Learned counsel
through supplementary affidavit submits that petitioner bears



criminal antecedent of one case in which he is on bail. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Petitioner has no concern with the alleged occurrence. He further submits that co-accused Raj Kumar @ Tuntun has already been granted bail by this Court vide Cr. Misc. No. 35376 of 2023.

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

6. Considering the facts and circumstances of the case, period of custody, co-accused Raj Kumar @ Tuntun has already been granted bail by this Court, 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 Chief Judicial Magistrate, Gaya in connection with Civil Line 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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