

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50219 of 2023

Arising Out of PS. Case No.-105 Year-2023 Thana- LAKHISARAI District- Lakhisarai

Poonam Kumari Wife Of Daughter Of Amarjeet Kumar @ Surendra Singh
Resident Of Village- Nandlal Chhapra, Near Samudaik Bhawan, Manoharpur,
Kachhuara, Ps- Ramkrishna Nagar, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Nath Dubey

For the Opposite Party/s : Mr.Ajay Mishra

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 23-08-2023 Heard the learned counsel for the petitioner and the

State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Lakhisarai P.S. Case No. 105 of 2023,
registered for the offences punishable under Sections 420, 467,
468 and 471 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and other
named co-accused persons are alleged to have got their
appointments to the post of Special Survey Amin on the basis of
forged documents.

4. The learned counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated in this
case. He further submits that as per the claim of the State they
have submitted false and fake document to get appointed as
Surveyour Amin. They have been terminated also and order to
file FIR against such persons have also been passed. He further



submits that such opinion regarding the document has been formed without giving any notice/opportunity to the petitioner. He also claims that the certificate is genuine. He further submits that similarly situated co-accused persons namely Chiranjivi Kumar Singh and Vivek Kumar have already been granted anticipatory bail by this Hon'ble Court in Criminal Misc No. 26368 of 2022 vide order dated 20.09.2022.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier for anticipatory bail in this case.

6. It has further been stated that the petitioner has no criminal antecedent.

7. However, the learned APP for the State has vehemently opposed the prayer for bail.

8. Considering the aforesaid facts and circumstances, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Ld. CJM, Lakhisarai, in connection with Lakhisarai P.S. Case No. 105 of 2023, subject



to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

9. The learned counsel for the petitioner is directed to remove all the defects pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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