

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56611 of 2023

Arising Out of PS. Case No.-50 Year-1993 Thana- TEKARI District- Gaya

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ARJUN PRASAD YADAV @ ARJUN PRASAD S/O LATE RAMLAKHAN
PRASAD R/O VILLAGE- MILKI, PS. JEHANABAD, DIST. JEHANABAD
... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Pranav Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 29-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is in judicial custody in connection with Tekari P.S. Case No. 50/1993 (G.R. No. 830/1993) registered under Sections 419, 420, 120(B) of the Indian Penal Code lodged on 25.03.1993.

As per the prosecution story, the allegation is that police for the verification of bail bond went for enquiry and it was found that forged signature in place of Rajnandan Yadav and Yadun Yadav in place of Radhe Yadav have been made. Accordingly, for the said act, the FIR.

It is the case of the petitioner that he never came to know about the FIR having been lodged for which he has already suffered by being in custody since 02.04.2023 (as stated in paragraph-9 of the petition). Further submission is that he is



70 years old and is ready to abide by all the terms and conditions.

Learned APP for the State opposes the prayer for bail stating that it is a case of 1993 and petitioner has come three decades later.

Taking into account the submissions put forward by the learned counsel for the petitioner as also the fact that he is 70 years old and has remained in custody since 02.04.2023, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Gaya in connection with Atari P.S. Case No. 50 of 1993, subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do even for a single day without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned



police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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