

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63260 of 2023**

Arising Out of PS. Case No.-852 Year-2022 Thana- JAHANABAD District- Jehanabad

AMARNATH KUMAR S/O KISHORE PRASAD KAUSHIK @ KISHORE
PRASAD R/O VILLAGE- GOBARAHI, P.O- DORWAR, P.S- JAYNAGAR,
DISTT.- MADHUBANI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Nath Dubey, Adv.

For the Opposite Party/s : Mr. Shyameshwar Dayal, Adv.

**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER**

2 17-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Jehanabad Town P.S. Case No. 852 of 2022, dated 07.09.2022, registered for the offence punishable under Sections 420, 467, 468, 471 of the Indian Penal Code.

3. The case of prosecution, in short, is that the petitioner got appointed on the post of Special Survey Amin on the basis of forged and fabricated documents.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that without proper verification of the certificate of the petitioner, he has been made accused in this



case. The petitioner having valid certificate which are verifying properly from the concerned office and without giving any opportunity to defend himself by submitting show cause, the authority lodged this F.I.R. only on the basis of the order passed by the Directorate of Land Records and Survey, Government of Bihar, Patna. The same order has been challenged before this Court in C.W.J.C. No. 1372 of 2022 and C.W.J.C. No. 21144 of 2011, in which this Court directed the respondents to file counter affidavit and also directed not to precipitate in the matter in so far as the recovery is concerned, but the informant without any order of the superior authority after passing the order dated 13.01.2022 in C.W.J.C. No. 21144 of 2011, lodged the present F.I.R. It is further submitted that similarly situated several persons have been granted anticipatory bail vide order dated 20.07.2023, passed in Cr. Misc. No. 26670 of 2023 and vide order dated 24.03.2023, passed in Cr. Misc. No. 2426 of 2023, by a Coordinate Bench of this Court. It is also submitted that other five persons have also been granted anticipatory bail vide order dated 19.08.2023 passed in Cr. Misc. No. 50895 of 2023. The petitioner has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail to the petitioner.



6. Having considered the facts and circumstances of the case and the submissions of learned counsel for the parties, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Jehanabad in connection with Jehanabad Town P.S. Case No. 852 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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