

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65195 of 2022**

Arising Out of PS. Case No.-200 Year-2018 Thana- SHAMBHUGANJ District- Banka

SHANKAR MANDAL S/o Late Damodar Mandal R/o Village- Paraiya, P.S.-
Shambhuganj, Distt- Banka.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Adv.

For the Opposite Party/s : Mr. Ajay Mishra, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

4 06-07-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
15.06.2022 in connection with Shambhuganj P.S. Case
No.200/2018, F.I.R. dated 05.09.2018, for the offences
punishable under Sections 420, 467, 468 and 471 of the Indian
Penal Code.

According to prosecution case, there is allegation
against the petitioner that being the former Mukhiya of the
concerned Panchayat, he has issued appointment letter to one
Ajay Kumar but one another person namely Sumit Kumar @
Baban Kumar impersonated the said Ajay Kumar and was
working in his place.

Learned counsel for the petitioner submits that the



petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the petitioner happens to be the ex-Mukhiya of concerned Panchayat and he has only issued appointment letter to one Ajay Kumar but one another person namely Sumit Kumar @ Baban Kumar impersonated the said Ajay Kumar and was working on his behalf and the petitioner has no role in the present occurrence. The petitioner is not the beneficiary of the amount in question which was drawn by Sumit Kumar @ Baban Kumar. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 15.06.2022.

Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, 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 C.J.M., Banka in connection with Shambhuganj P.S. Case No. 200/2018, subject to the following conditions:-

1. 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.

2. 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.

3. 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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