

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67349 of 2022

Arising Out of PS. Case No.-18 Year-2022 Thana- SRINAGAR District- West Champaran

PARVEJ ALAM @ PRAWEZ ALAM S/o Md. Islam R/o- Ward No. 09,
Baghambarpur, P.S.- Srinagar (Pujaha), District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Thakur, Advocate
		Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s	:	Md. Anbzarul Haque Sahara, APP
For the Informant	:	Mr. Anshul, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 22-05-2023 Heard learned counsel appearing on behalf of the parties.

The accused/petitioner is named in the F.I.R. and apprehend his arrest in connection with Srinagar P.S. Case No. 18 of 2022 registered for the offences punishable under Sections 467, 468, 471, 420 and 120B of the Indian Penal Code.

As per narration set out through complaint petition, which is the basis of present FIR, allegation against the petitioner is to provide his mobile number on application, alleged to be used for creation of wrong caste certificate of informant, so as to harm and defame the complainant/informant in *Mukhiya* election.

Learned counsel appearing on behalf of the petitioner submitted that the caste certificate in subject was issued by



concerned CSC (Citizen Service Centre), on the basis of Aadhar number and photographs of informant, as it appears from para 64 of the case diary. It is submitted that maximum allegation as available against the present petitioner is to provide his mobile number, which appears not relevant for said purpose. It is submitted that out of local dispute arises out of Mukhiya election, the petitioner implicated falsely with present case, without having any connecting evidence. It is also submitted that other co-accused persons, having similar allegation have already been granted anticipatory bail by one of the learned co-ordinate Bench of this Court, through, Cr. Misc. No. 52801 of 2022 dated 08.12.2022. While concluding the argument, it is submitted that petitioner is a man of clean antecedent.

Learned APP duly assisted by learned counsel appearing on behalf of the informant, while opposing the prayer of bail submitted that petitioner is main culprit and to remain in touch, while online processing of false certificate of informant, he provided his mobile number.

Considering the aforesaid facts and circumstances of the case, as alleged caste certificate, prima-facie, appears to be created on the basis of Aadhar number and photographs of informant himself, accordingly above named petitioner, in the



event of his arrest or surrender before learned court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Bettiah, West Champaran /concerned Court, where the case is pending in connection with Srinagar P.S. Case No. 18 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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