

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69882 of 2023

Arising Out of PS. Case No.-469 Year-2020 Thana- SUPAUL District- Supaul

AMIT KUMAR Son of Harinandan Yadav R/o vill - Kajahi, P.O. - Ratauli,
P.S. - Pipra, Distt. - Supaul, Bihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kuldeep Kumar

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 01-11-2023 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Supaul P.S. Case No. 469/2020 registered for the offences punishable under Sections 419, 420, 34 of the Indian Penal Code.

3. As per prosecution case, the petitioner is one among them who committed forgery in physical examination for appointment of Home-guard Constable.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. The petitioner bears no criminal antecedent. He further submits that there is inordinate delay of nine months for lodging the FIR



and there is no plausible explanation for such delay. He further submits that co-accused Bipin Kumar and others have already been granted anticipatory bail by co-ordinate Benches of this Court vide Cr. Misc. No.49643/2021, Cr. Misc. No.7563/2023 and Cr. Misc. No.56986/2023 and the case of present petitioner stands on similar footing. He further submits that in the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the aforesaid Sections.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, co-accused have already been granted anticipatory bail, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Supaul in connection with Supaul P.S. Case No. 469/2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



7. The application stands allowed.

(Alok Kumar Pandey, J)

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