

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69600 of 2023

Arising Out of PS. Case No.-443 Year-2023 Thana- JAMUI District- Jamui

Abodh Sah @ Suman Kumar @ Amod Sah, Son Of Ramswaroop Sah @
Rampadarath Sah R/O Village- Sangthu, P.S.- Jamui, District- Jamui

... .. Petitioner/s

Versus

The State Of Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dipak Kumar, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

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

2. The petitioner seeks regular bail in connection with
Jamui P.S. Case No. 443 of 2023, lodged on 13.07.2023 under
Sections 419, 420, 466, 467, 468, 471, 353 & 120 (B) of the
Indian Penal Code.

3. As per the prosecution case, the FIR has been
lodged against the petitioner and others alleging that the all
accused persons have tried to impersonate and committed fraud
as well as created forged documents with a view to cheat this
Court and instead of real accused persons, some other persons
were produced which was identified by the Court and on that
basis, the FIR has been lodged.

4. Learned counsel for the petitioner submits that the



petitioner is innocent as he is the victim in this case and the other accused persons particularly the counsel on record has been granted bail by the Court. Learned counsel for the petitioner seeks bail on the ground of parity. He further submits that the petitioner is in custody since 11.7.2023.

5. Learned APP for the State submits that this case may be taken seriously due to the reason the said fraud has been committed by the accused persons including the petitioner with the Court. He also submits that the question of parity shall involved only when the case of petitioner and the person who has been granted bail lies on the same footing. He further submits that the antecedent of the petitioner is not clean and there are three criminal cases pending against the petitioner.

6. In the present facts and circumstances, the ground of the defence for the advocate and the client is different and as well as that antecedent of the petitioner is not clean and he is well experienced in furnishing of bail bonds before the Trial Court atleast on three earlier occasions. Since he has three criminal antecedents in addition to the present one, and therefore, this Court is of the opinion that question of parity is not involved and accordingly, the prayer for regular bail of the petitioner in connection with Jamui P.S. Case No. 443 of 2023,



pending before the learned Chief Judicial Magistrate, Jamui is hereby rejected.

7. However, the petitioner shall move for regular bail after one year of framing of charge when the Trial Court shall release him on bail imposing its own conditions so that he may not evade his appearance during trial.

(Dr. Anshuman, J.)

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