

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.459 of 2023

Arising Out of PS. Case No.-681 Year-2022 Thana- BIHAR District- Nalanda

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Dharmendra Ram @ Dharmendra Kumar, Son of Shambhu Ram, R/o village -
Mathurapur, P.S.- Noorsarai, Dist.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prasad Singh, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 22-03-2023 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, if any, within

a period of four weeks from today.

Heard Mr. Ram Prasad Singh, learned counsel
appearing on behalf of the petitioner and the learned APP for the
State.

The petitioner seeks regular bail, who is in custody in
connection with Bihar P.S. Case No. 681 of 2022 registered for
the offence punishable under Sections 420, 467, 468, 471,
120(B), 196, 197, 198, 209/34 of the Indian Penal Code.

The prosecution case is based on the written report of
the informant, alleging therein, that the petitioner for the
purposes of obtaining bail of his son has submitted a forged and
fabricated School Leaving Certificate before the Juvenile Justice
Board.



Learned counsel appearing on behalf of the petitioner submits that in fact on a wrong instruction, a different School Leaving Certificate issued by the In-charge Headmaster has been handed over to the Juvenile Justice Board though the son of the petitioner, namely, Harsh Kumar had been pursuing his study in a private school at Jamshedpur (Jharkhand) in class 8, but previously he has also been admitted in a nearby Government School, namely, Middle School, Chandasi from where the alleged School Leaving Certificate was issued by the In-charge Headmaster. He further submits that, moreover, even by the Medical Board which was duly constituted as per the direction of the Juvenile Justice Board, the petitioner son has been declared juvenile. He next submits that the petitioner, having fair antecedent, is in custody since 17.09.2022 and now the investigation of the crime is already complete.

On the other hand, learned APP for the State vehemently opposes the bail application.

Regard being had to the submissions made on behalf of the parties and considering the nature of allegation and the period of custody, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the



satisfaction of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Bihar P.S. Case No. 681 of 2022, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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