

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14579 of 2024

Arising Out of PS. Case No.-401 Year-2023 Thana- BANKA District- Banka

Sohan Kumar son of Late Prabhash Kumar Resident Of Village- Morkahi,
P.O- Durgapur, P.S.- Muffasil, Dist- Khagaria (Bihar) Pinc Code- 851204

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandrashekhar Azad, Advocate
For the State : Mr. Ajay Mishra, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-03-2024 Heard Mr. Chandrashekhar Azad, learned counsel

for the petitioner and Mr. Ajay Mishra, learned APP for the

State.

2. The petitioner is apprehending his arrest connection with Banka P.S. Case No. 401 of 2023, F.I.R. dated 14.06.2023 registered for the offences punishable under Sections 420, 467, 468, 471 & 120(B) of the Indian Penal Code.

3. Allegation against the petitioner is that he produced the forged/fake certificate for employment as Special Survey Amin on contractual basis.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the



petitioner has not committed any offence as alleged in the F.I.R. He further submits that in fact the petitioner has submitted the original certificate which he has received from the competent Board/University at the time of filling up the form for obtaining employment as Special Survey Amin on contractual basis. Learned counsel for the petitioner further submits that after lodging the present F.I.R. the petitioner has removed from the service and similarly situated co-accused persons namely Manish Kumar, Rakesh Kumar Sharma and Abhinandan Kumar have been granted the privilege of anticipatory bail by a Coordinate Bench of this Court vide order dated 17.02.2024 passed in Cr. Misc. No. 5412 of 2024.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. Banka in connection with Banka P.S. Case No. 401 of 2023, subject to the conditions as laid down under



Section 438(2) of the Code of Criminal Procedure and with other 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 witness, 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)

Ibrar//-

U		T	
---	--	---	--

