

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12645 of 2024

Arising Out of PS. Case No.-881 Year-2017 Thana- KATIHAR NAGAR District- Katihar

Niro Yadav @ Niro Prasad Yadav, Home Guard No.- 8588 S/O- Late Shib Narayan Prasad Yadav @ Late Shibu Yadav R/O- Village- Bakki-Kol, P.S.- Barari, Dist.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Pawan Kumar Singh, Advocate
For the State	:	Ms. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 01-03-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. Learned counsel for the petitioner, at the very outset, submits that an error of inadvertence has crept into the bail application on account of age of the petitioner being typed as 56 years instead of 64 years.

3. Learned counsel for the petitioner is permitted to rectify the aforesaid error. Let the age of the petitioner be read as 64 years instead of 56 years.

4. The petitioner seeks bail in connection with Katihar (Town) P.S. Case No. 881 of 2017 instituted for the offence under Sections 420, 467, 468 & 471 of the Indian Penal Code.

5. Prosecution case in short is that petitioner is retired



Home Guard and post retirement, he was re-appointed by the concerned authority. It is further alleged that for the purpose of re-appointment, he submitted false and fabricated certificate of educational qualification.

6. It has been submitted on behalf of the petitioner that the petitioner is in custody since 31-08-2022. Petitioner is stated to be man of clean antecedent.

7. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is discharged from his duties. Charge has been framed in the instant case and there is no single witness examined on behalf of the prosecution.

8. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

9. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and clean antecedent of the petitioner, this Court is inclined to grant bail to the petitioner.

10. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Katihar



(Town) P.S. Case No. 881 of 2017, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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