

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15059 of 2024

Arising Out of PS. Case No.-212 Year-2023 Thana- FATEHPUR District- Gaya

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Ilyas Khan @ Ilyas Khan Son of Md Sadique Khan Resident Of Vill -
Kosumhar, Ps- Fatehpur, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Murad Ashraf, Advocate

For the Opposite Party/s : Md. Ataur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

- 2 12-03-2024 **1.** Heard learned counsel appearing on behalf
- of the petitioner and learned Additional Public Prosecutor
- appearing on behalf of the State.
- 2.** The accused/petitioner is named in the F.I.R.
- and apprehending his arrest in connection with Fatehpur
- P.S. Case No. 212 of 2023 registered for the offences
- punishable under Sections 420, 467 and 468 of the
- Indian Penal Code.
- 3.** The allegation against the petitioner is to
- create forged document regarding date of birth of his
- daughter, who is the victim of Fatehpur P.S. Case No.
- 219 of 2021, to show her as minor, on the date of



occurrence.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner never moved any application before concerned school as to obtain certificate in issue. It is also submitted that police in collusion with accused of Fatehpur P.S. Case No. 219 of 2021, planted this forged document just to pressurize the informant to enter into compromise and to depose in favour of accused. It is submitted that daughter of informant found major during the course of medical examination between age group of 18-20 years and as such there was no occasion to obtain any such certificate from the school. It is also submitted that report of head master of Middle School, Shamir Takia is without any scientific/expert opinion, which cannot be relied upon. While concluding the argument it is submitted that petitioner is a man of clean antecedent.

5. Learned APP appearing on behalf of the State, opposes the prayer for bail.



6. In view of the facts and circumstances as mentioned above and by taking note of the fact, as report of concerned head master regarding genuineness of the certificate is without any scientific/expert opinion, accordingly the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-X, Gaya/concerned Court where the case is pending in connection with Fatehpur P.S. Case No. 212 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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