

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25018 of 2024

Arising Out of PS. Case No.-335 Year-2023 Thana- HALSI District- Lakhisarai

Nepali Saw @ Nepali Sav S/o Late Lila Saw R/o vill - Bijulki, P.S. - Halsi,
Distt. - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 25288 of 2024

Arising Out of PS. Case No.-335 Year-2023 Thana- HALSI District- Lakhisarai

Munilal @ Muneshwar Lal @ Muneshwar Prasad S/o Late Singheshwar
Prasad R/o vill - Harewa, P.s. - Halsi, Distt. - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 25018 of 2024)
For the Petitioner/s : Mr. Anuj Kumar, Advocate
For the Opposite Party/s : Mr. Jai Narain Thakur, APP
(In CRIMINAL MISCELLANEOUS No. 25288 of 2024)
For the Petitioner/s : Mr. Arun Kumar, Advocate
For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-05-2024 Heard Mr. Arun Kumar, learned counsel for the

petitioners as well as Mr. Zainul Abedin, learned Additional

Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Halsi P.S. Case No. 335 of 2023, F.I.R. dated
14.12.2023 for the offences punishable under Sections 467, 468,



471, 420/34 of the Indian Penal Code.

3. According to prosecution case, ex-Mukhiya, namely, Jainul Haque along with some private persons including this petitioner are illegally running Circle Office where some confidential documents were recovered including documents related to Halsi Revenue Circle.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offences as alleged in the F.I.R. He further submits that on the basis of the disclosure made by the co-accused, namely, Sadhu Sharan Mahto the name of the petitioners have been implicated in the present case. He further submits that it appears from the F.I.R as well as seizure list that no incriminating articles have been recovered from their possession or from their house and except disclosure, no other cogent material has come during investigation to suggest the involvement of the petitioners in the present occurrence.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances



that the petitioners have clean antecedent and nothing incriminating articles have been recovered from the conscious possession of the petitioners, let the petitioners, above named, in the event of 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/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Lakhisarai in connection with Halsi P.S. Case No. 335 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their



criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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)

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