

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42107 of 2024

Arising Out of PS. Case No.-53 Year-2024 Thana- FATEHPUR District- Gaya

Gautam Kumar Son of Pramod Singh, Resident of Village- Badki Saliya, P.S.-
Fatehpur, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-09-2024 Heard Mr. Prithivi Raj Singh, the learned counsel for
the petitioner and Mr. Mohammad Sufyan, the learned
Additional Public Prosecutor for the State.

2. Petitioner seeks regular bail who is in custody since
27.01.2024, in connection with Fatehpur P.S. Case No. 53 of
2024, FIR dated 26.01.2024, registered for the offences
punishable under Sections 420, 467, 468 and 471 of the Indian
Penal Code.

3. According to the prosecution case, the petitioner,
who is an accused in Fatehpur P.S. Case No. 707 of 2023 dated
29.08.2023 has deposited recall letter on 21.12.2023 and the
said letter after verification was found to be forged and the
petitioner has also accepted his crime.

4. Learned counsel for the petitioner submits that the



allegation levelled in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. In fact, the petitioner had produced the original bail order which has been allowed by the competent Court of law and he has not produced any forged bail document before the learned trial Court. He lastly submits that the police after investigation has submitted the charge sheet against the petitioner and the petitioner is in custody since 27.01.2024.

5. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner and submits that it has come in paragraph no. 18 of the case diary that the petitioner has produced forged bail document for obtaining bail from the competent Court of law.

6. Considering the aforesaid facts and circumstances, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten Thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-X, Gaya, in connection with **Fatehpur P.S. Case No. 53 of 2024**, subject to the following conditions:

(i). Petitioner shall co-operate in the trial and shall



be properly represented on each and every date fixed by the learned trial Court and shall remain physically present as directed by the learned trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the learned trial Court.

(ii). If the petitioner 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 learned trial Court 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 learned trial Court 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)

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