

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45669 of 2024

Arising Out of PS. Case No.-179 Year-2023 Thana- KISHANGANJ District- Kishanganj

1. Vikash Kumar Son Of Rajendra Prasad Sah @ Rajendra Prasad Gupta Resident Of Village And Post - Murli, P.S. - Kishanpur, Block - Saraigarh Bhaptiyahi, District - Supaul
2. Kanhaiya Lal Gupta Son Of Shivilal Sah Resident Of Village And Post - Murli, P.S. - Kishanpur, Block - Saraigarh Bhaptiyahi, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar, Adv.

For the Opposite Party/s : Dr.Mrityunjaya Kr. Gautam, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 20-07-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in connection with Kishanganj P.S. Case No. 179 of 2023 registered for the offences punishable under Sections 419, 420, 467, 468, 471 and 120B of the Indian Penal Code.

3. Allegedly, the petitioners have procured the job of Survey Amin by producing forged and fabricated certificates.

4. Learned counsel for the petitioners submitted that the petitioners are themselves victim of circumstances, as they have procured the certificates from their respective institutions, after pursuing their courses. Before the institution of the FIR and cancellation of their appointment, at no point of time, they



have been allowed to place their cases nor any report has been asked from the concerned institution(s). It is also contended that at the time of appointment, the certificates of the petitioners were duly verified but, at no point of time, any objection was raised. It is further contended that the co-accused persons having identical allegation of procuring job based upon the forged and fabricated certificates, have been allowed the privilege of anticipatory bail by this Court as well as through the different Benches of this Court, the copies of which have been marked as Annexure-P/2 series. The petitioners bear fair antecedent.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submitted that the inquiry was conducted by the Revenue and Land Reforms Department pursuant to the order of this Court and the certificates of the petitioners have been found forged and fabricated.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the services of the petitioners have already been terminated, coupled with their fair antecedent as also the other co-accused persons have been allowed the privilege of anticipatory bail, let the petitioners



above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kishanganj in connection with Kishanganj P.S. Case No. 179 of 2023, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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