

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60335 of 2023

Arising Out of PS. Case No.-393 Year-2023 Thana- MOHANIYA District- Kaimur (Bhabua)

Lelin Ram Son Of Late Mohan Ram Resident Of Village - Kirkala, P.S. -
Sonhan, District - Kaimur At Bhabua

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 61292 of 2023

Arising Out of PS. Case No.-393 Year-2023 Thana- MOHANIYA District- Kaimur (Bhabua)

Jawahar Lal Sharma (Executive Assistant) Circle Anchal Mohania RTPS Son
of Late Hardwar Sharma Village- Kewarhi P.S.- Kudra Dist- Kaimur at
Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 60335 of 2023)

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate
Mr. Uday Pratap Singh, Advocate

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

(In CRIMINAL MISCELLANEOUS No. 61292 of 2023)

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate
Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

6 28-03-2024 Heard learned senior counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Mohania P.S. Case No. 393 of 2023, dated
14.06.2023, registered for the offences punishable u/s 408 of the



Indian Penal Code.

3. As per the prosecution case, the petitioners in the capacity of clerks were entrusted to issue Income and Caste Certificates but they without obtaining recommendations from any Halka Karamchari, issued such certificates by using Login I.D. of the Revenue Officer.

4. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. The petitioners have no criminal antecedent as stated in para 3 of the bail petition. It is further alleged that the petitioners are the clerks posted in the Anchal Office Mohania and they were entrusted with the work of Printing the application received by the applicant. It is further alleged that the petitioners have not been asked for anything about the alleged irregularities which are said to be done in issuance of caste certificate. The allegations against these petitioners are general and omnibus in nature.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case and the nature of allegations leveled against the petitioners, let the above named petitioners, in the event of their



arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Mohania, Kaimur at Bhabua in connection with Mohania P.S. Case No. 393 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further condition:

- i. The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the prosecution will be at liberty to move for cancellation of their bail bond.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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