

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73854 of 2024

Arising Out of PS. Case No.-348 Year-2022 Thana- BIKRAM District- Patna

MD. ARMAN KHAN SON OF LATE MOVEEN KHAN R/O VILL.-
HORIDIH ALSO STATED AS HARIDIH, P.S.- NIMCHAK BATHANI,
DIST.- GAYA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Durgesh Nandan, Adv.

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-10-2024 Heard Mr. Durgesh Nandan, learned counsel for the
petitioner and the State

2. The petitioner is in custody in connection with
Bikram P.S. Case No. 348 of 2022 for the offence punishable
under sections 467, 468, 353 and 34 of the Indian Penal Code
lodged on 04.08.2022 by the informant, Shivkumar Sharma.

3. Here is a case where the petitioner was the author
of the complaint before the Circle Officer, Bikram, now he is an
accused and presently before this Court in the bail application.
The allegation that has been made against the accused persons is
of overwriting/tored the documents in the Jamabandi Register.
Specific allegation is against Amit Kumar, Amlesh Kumar and
Akhilesh Kumar as per the FIR of the Circle Officer, Bikram.



However, in the concluding line, he has also raised suspicion against this petitioner.

4. It is the case of the petitioner that being the custodian of the documents, he would have been the last person to do the same. In fact, he informed the Circle Officer, Bikram whereafter the FIR was lodged but due to incorporation of the suspicion angle, he has already suffered by being in custody since 13.08.2024 (para 1 of the petition) and the last submission is that he do not have criminal antecedent.

5. Learned APP opposes the prayer for bail submitting that though he is the author of the letter, the fact remains that the Circle Officer, Bikram raised suspicion against him.

6. Having considered the submission of the rival parties, the main allegation is against Amit Kumar, Amlesh Kumar and Akhilesh Kumar of tampering with the Jamabandi Register of the Circle Office, Bikram, suspicion has been raised against the petitioner that he being the custodian, how the said tampering could have taken place without his knowledge, the reason is justified. However, the fact remains that he do not have criminal antecedent, is a Government servant and as per the undertaking, he will be diligently appearing in trial, is in custody since 13.08.2024, this Court is inclined to extend him



the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned ACJM VI, Danapur in connection with Bikram P.S. Case No. 348 of 2022 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Vijay Singh/-



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