

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76605 of 2024

Arising Out of PS. Case No.-112 Year-2024 Thana- NALANDA District- Nalanda

Rajnish Kumar son of Late Ranvijay Prasad Village -Badgaun PS- Nalanda District -Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajeet Bhushan, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 28-10-2024 Heard the parties.

2. The petitioner is in custody in connection with Nalanda P.S. Case No. 112 of 2024 for the offence punishable under sections 316(2), 318(4), 338, 336(3), 340(2) and 61(2) of the B.N.S. lodged on 13.07.2024 by the informant, Subhash Kumar.

3. As per the prosecution story, the informant, a Government Official, on instruction of the local Block Development Officer, Rajgir raided the Cybercafe of the petitioner and recovered/seized forged birth certificates of number of persons relating to Registration Unit of Auxiliary Primary Health Center, Biharsharif though, no such unit exist. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that he



runs a Cyber Cafe which also has photocopy facility, people come and get the same photocopied, some are left behind, those were seized which led to his implication. Further, charge-sheet has been submitted and he will be diligently appearing in trial, if granted relief.

5. Learned APP opposes the prayer for bail submitting that upon raid, the certificates found to be forged were present in his Cybercafe.

6. Considering the submissions put forward by the parties as also the prosecution story, allegation is there, charge-sheet has already been submitted, he do not have any criminal antecedent and is in custody since 15.07.2024 (paragraph-21 of the petition), 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 J.M. 1st Class-VIII, Nalanda (Biharsarif), in connection with Nalanda P.S. Case No. 112 of 2024 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 appear before the concerned police station every fortnight for six months to mark his attendance;

(iv) 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;

(v) 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)

Adnan/-

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