

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77098 of 2023

Arising Out of PS. Case No.-40 Year-2017 Thana- LADANIA District- Madhubani

Nilambar Singh @ Nilambar Kumar Singh, Son of Late Ramnandan Singh @
Ramnandan Ray, Resident of Village - Paroriyahi, P.S. - Ladaniya, District -
Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha, Advocate

For the Opposite Party/s : Mrs.Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 05-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Ladaniya P.S. Case No. 40 of 2017 (T.R.No.1465 of 2021) registered for the alleged offences under Sections 419 and 420 of the Indian Penal Code.

3. As per prosecution case, allegation against the petitioner is that he deliberately produced the voter identity card of his deceased father showing his wrong age for obtaining the licence of Public Distribution System dealership on compassionate ground. Further allegation is that as the licence of PDS could have been issued to the petitioner only in case death of his father occurred till he reached the age of 55 years



and in the voter identity card, the age at the time of death was shown to be 46 years, 10 months and 11 days, whereas from the school records, the age of the father of the petitioner at the time of death was 60 years 2 months and 11 days.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner submitted voter identity card of his deceased father as he was not having any other documents and the whole case is based on suspicion that the petitioner deliberately filed this document as proof of age. The learned counsel further submits that due to discrepancy in the document about the age of the deceased father of the petitioner, the PDS licence of the petitioner had already been cancelled. The petitioner has got clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the doubtful nature of allegation with possibility of false implication, let the petitioner, above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail



bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Madhubani, in connection with Ladaniya P.S. Case No. 40 of 2017, subject to the conditions mentioned in Section 438(2) of the Cr.P.C. and the following conditions::

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

V.K.Pandey/-

(Arun Kumar Jha, J)

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