

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5412 of 2024

Arising Out of PS. Case No.-401 Year-2023 Thana- BANKA District- Banka

1. Manish Kumar Son Of Mahesh Narayan Singh Resident Of Village And P.O. - Ruphara, P.S. - Sikarganj, District - East Champaran
2. Rakesh Kumar Sharma @ Rakesh Sharma Son Of Ram Prasad Thakur Resident Of Village - Maliya Tola, P.O. - Mirpur, P.S. - Chiraiya, District - East Champaran
3. Abhinandan Kumar Son Of Shivnandan Prasad Yadav @ Shivanand Prasad Yadav Resident Of Village - Bari Mahuli, P.O. - Basudeopur, P.S. - Munger Muffasil, District - Munger

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate
For the Opposite Party/s : Mr. Ajay Mishra, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Banka P.S. Case No. 401 of 2023 dated 14.06.2023, instituted for the offence punishable under Sections 420, 467, 468, 471, 120(B) of the Indian Penal Code.

3. The allegation against the petitioners is that, they have produced forged/fake certificate for employment as Special Survey Amin on contractual basis by the Director of Land-Record & Measurement, Department of Revenue & Land Reforms, Government of Bihar, Patna.



4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that the petitioners were appointed on the newly created post of Special Survey Amin on contractual basis and after lodging this case, petitioners have been removed from service on the basis of forged and fake certificates submitted by them before the concerned authorities. It is further submitted that petitioners have been removed from service without asking any explanation and further show-cause notice has been filed by petitioners to give their explanation. Lastly, it has been submitted that the petitioner nos. 1 and 2 have no criminal antecedents and petitioner no. 3 has one criminal case against him.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Banka P.S. Case No. 401 of 2023, they shall be released on anticipatory bail 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, Banka, subject to condition as
laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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