

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4420 of 2025

Arising Out of PS. Case No.-435 Year-2024 Thana- SIRDALA District- Nawada

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Anjeet Kumar Son of Pramod Kumar Resident of Village - Pandedih, P.S -
Sirdala, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabi Bhushan Prasad, Adv.

For the Opposite Party/s : Mr. Madan Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 30-04-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Sirdala
P.S. Case No. 435 of 2024 instituted for the offences under
Sections 318(4), 319(2), 336(3), 340(1), 341(2) of the Bhartiya
Nyaya Sanhita, 2023.

3. As per prosecution case, the police, on receipt of
secret information, reached at the Basudha Kendra Cyber Cafe
and, on search, 18 Swastik Seal of Assistant Returning Officer
cum Block Development Officer, Sirdala (Nawada) and forged
Aadhar Card, one Acer company make Monitor, CPU, one Tab,
Printer, Mouse, one Key Board etc. were recovered from there.
The police also arrested the Operator from there who disclosed



his name as Anjeet Kumar (the petitioner) and he accepted the allegations of making forge Aadhar Card.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case merely on the basis of suspicion. The petitioner is the employee of the Owner of the alleged Basudha Kendra Cyber Cafe, Sirdala working on fixed monthly salary of Rs. 5,000/-. The petitioner has no concern with the alleged seized articles mentioned in the F.I.R. The petitioner has never indulged in creation or forgery of Aadhar Card. The confessional statement of the petitioner has been recorded by the police under duress which has no evidentiary value in the eye of law which creates doubt in the veracity of the prosecution case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged occurrence. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 27.11.2024 without any rhymes or reason. Charge-sheet has been submitted in this case.



5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature.

6. The Block Development Officer, Sridala, Nawada has filed counter affidavit. Paragraph no.7 whereof reads as follows:-

*“7. That act done by the plaintiff
had no impact on the outcome of PACS
Elections 2024 because the plaintiff was
arrested before the elections and the matter
pertains to the police station.”*

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail, ***after framing of charge if not already framed***, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sirdala P.S. Case No. 435 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family



members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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