

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19181 of 2025

Arising Out of PS. Case No.-723 Year-2024 Thana- GARDANIBAG District- Patna

Mohan Kumar S/O Sri Jaglal Chaudhari Resident of Village- Anantpur, P.S.- Ghosi, District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumod Kumar Shrivastaw, Adv
For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 26-05-2025 Heard learned Counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Gardanibagh P.S. Case No. 723 of 2024 registered for the offences punishable u/s 318(4), 338, 336(3), 340(2) and 112(2) of B.N.S.

3. As per the prosecution case, Farooq Hussain, Deputy Superintendent of Police, Special Branch, had observed that the LTI and the footage of Mohan Kumar (petitioner) did not tally with what was given at the time of filing of the application. It is further alleged that at the time of the Physical test as well as the Bio- Metric test, the thumb impression and the photo did not tally with the photo and thumb impression given in the application for the written examination and thus it



was alleged that the petitioner, through impersonation, had tried to procure a job as a Constable. On being inquired, the petitioner confessed his guilt and accordingly, the present FIR has been lodged.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that the charge sheet has already been submitted and from perusal of the case diary it is evident that the FSL report has not yet been furnished. It is next submitted that the petitioner is a genuine candidate and he has no criminal antecedent and is in custody since 27.12.2024.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid submissions of the parties and taking into account the fact that the charge sheet has already been submitted and also considering the period of custody, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna, in connection with Gardanibagh P.S. Case No. 723 of 2024, subject to the following conditions:-



(i) One of the bailors will be 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.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. The application stands allowed.

(Sourendra Pandey, J)

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