

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28985 of 2025

Arising Out of PS. Case No.-58 Year-2024 Thana- AIRPORT District- Patna

Kamendra Kumar Yadav Son of Ram Kishun Yadav Resident of Village -
Belaur, Dahiwar, P.S.- Buxar, District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyesh Kumar, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-05-2025 Heard Mr. Priyesh Kumar, learned counsel for the

petitioner and Mr. Parmeshwar Mehta, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Hawayi Adda P.S. Case No. 58 of 2024, F.I.R.
dated 07.05.2024 for the offences punishable under Sections
468, 471, 420 of Indian Penal Code.

3. As per the First Information Report, the petitioner
obtained the job of Constable at Bihar Special Armed Forces by
using forged and fabricated documents.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that the
petitioner has served the Bihar Special Armed Force for almost



16 years without any complaint and at the time of appointment the authorities of Bihar Special Armed Force have duly verified the certificates of the petitioner and the same was found genuine as such the petitioner was allowed to continue in service for 16 years. He next submits that petitioner is suspended from the post in question and also facing a disciplinary proceeding.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, the petitioner has clean antecedent and he is suspended from the post in question and also facing a disciplinary proceeding, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 the learned Judicial Magistrate-1st Class, Patna in connection with Hawayi Adda P.S. Case No. 58 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

- i. Petitioner shall co-operate 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the 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 bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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