

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28005 of 2025

Arising Out of PS. Case No.-53 Year-2010 Thana- KATIHAR MUFFASIL District- Katihar

Jitesh Kumar Singh Son of Hari Kishor Singh Resident of Village - Bhabhauri, P.S.- Manjhi, District - Saran (Chhapra). At present resident of Village - Durgasthan, P.S.- Katihar, District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate
Mr. Saket Kumar Singh, Advocate
For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 07-05-2025 Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State, .

2. The petitioner apprehends his arrest in connection with Muffasil P.S. Case No. 53 of 2010, registered under Sections 419, 420, 467, 468, 471, 120(B) of the Bhartiya Nyaya Sanhita.

3. The informant alleged that in July, 2009, a recruitment was held in Purnea, on verification of the domicile certificate submitted by 21 candidates including the petitioner, for getting employment in the Army, was found to be forged.

4. Learned Counsel for the petitioner submits that the petitioner was unemployed person and in his endeavour to get a job in the Army, he had produced the domicile certificate



which is allegedly a forged and fabricated document. It is his submission that the documents are genuine. Petitioner further submits that he has clean antecedent. Petitioner further submits that the co-accused persons with similar allegation have already been granted bail vide order passed by Coordinate Bench of this Court in Cr. Misc. No. 10778 of 2011, Cr. Misc. No.15144 of 2013, Cr. Misc. No.77974 of 2023, Cr. Misc. No.85897 of 2023.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for anticipatory bail and submits that this is a case of the year 2010. It is further submitted that those who were granted privilege of anticipatory bail by this Court had moved this Court in the year 2011 and 2013. Learned APP further submits that the petitioner has not surrendered for about 15 years by now, therefore, there is every possibility that they have been declared absconder by the learned Court below. Hence, in case, he has been declared absconder, the petitioner would not deserve privilege of anticipatory bail.

6. Having regard to the facts and circumstances of the case, this Court finds force in the submission of learned APP for the State. There is, however, no material on the record to show that as to whether the petitioner has been declared absconder or not. The petitioner is moving this Court for grant



of pre-arrest bail after more than 15 years.

7. In the circumstances, considering the totality of the facts and circumstances as also in the interest of justice as also the fact that co-accused persons with similar allegation have already been granted bail in Cr. Misc. No. 10778 of 2011, Cr. Misc. No.15144 of 2013, Cr. Misc. No.77974 of 2023, Cr. Misc. No.85987 of 2023, this Court is also inclined to grant the petitioner privilege of anticipatory bail.

8. Let the petitioner, named above, in the event of his arrest or surrender before the Court below within four weeks from today, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty Five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar, in connection with Muffasil P.S. Case No. 53 of 2010, subject to the condition laid down under Section 482 of the Bhartiya Nyaya Sanhita.

(Alok Kumar Sinha, J)

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