

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74315 of 2025

Arising Out of PS. Case No.-29 Year-2022 Thana- CHHABILAPUR District- Nalanda

Ramesh Halwai @ Ramesh Kumar @ Ramesh Prasad S/O Lal Bahadur
Prasad Resident of village- Betari, P.S.- Bhabua, District- Kaimur at Bhabua

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey, Advocate

For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-11-2025 Heard Mr. Rajni Kant Pandey, learned counsel for the

petitioner and Mr. Ganesh Prasad Singh, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Chhabilapur P.S. Case No. 29 of 2022, F.I.R. dated 02.03.2022 for the offences punishable under Sections 419/ 420/ 467/ 468/ 471/ 120-B/ 34 of the Indian Penal Code.

3. As per the First Information Report, the informant Vinod Kumar submitted a written report to the police. He alleged that he is posted at Police Academy Rajgir as a Police Inspector cum Sergeant Major. On 02.03.2022, when selected candidates were joining for training, at approximately 3:30 P.M., a lady arrived with an appointment letter and admit card, accompanied by another lady, and inquired about giving joining.



The informant suspected the genuineness of the appointment letter and upon verification, it was found to be fake when compared with the commission's records. The lady who produced the fake letter disclosed her name as Gita Kumari, and her companion was identified as Puja Kumari. Upon inquiry, Gita Kumari revealed that with the help of one Chandrashekhar Kumar, Ramesh Halwai (petitioner) fabricated the fake appointment letter. She paid Rs. 1,50,000/- (Rs. One lakh fifty thousand) initially, with additional amounts to be paid after joining. It was also alleged that Kalamuddin Miyan delivered the said letter to her house.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. The allegations as alleged in the FIR are false and fabricated and the petitioner has not committed any offence as alleged in the FIR. From bare perusal of the FIR, it appears that there is no role of the petitioner in the said occurrence and as per the statement of co-accused Gita Kumari, the petitioner has been made accused in the present case and apart from the aforesaid no chit of paper has been filed along with the FIR which suggest that the petitioner has received the amount in question from the co-accused persons.



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

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and he has been made accused on the basis of statement made by the co-accused person and no chit of paper has been found which suggest that the petitioner has received the said amount in question from the co-accused persons, 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 Chief Judicial Magistrate, Nalanda, District-Nalanda, Bihar Sharif in connection with Chhabilapur P.S. Case No. 29 of 2022, 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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