

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80400 of 2024

Arising Out of PS. Case No.-198 Year-2024 Thana- ITARHI District- Buxar

Amit Kumar S/O Chandrakesh Ram R/O Vill.- ward no 12, Jagjiwan Nagar
Jaso,P.S- Buxar (Muffasil), Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta, Advocate
For the Opposite Party/s : Mr. Ajay Mishra, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 18-04-2025 Heard Mr. Arun Kumar Gupta, learned counsel for
the petitioner and Mr. Ajay Mishra, learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Itarhi P.S. Case No. 198 of 2024, F.I.R. dated
0609.2024 for the offences punishable under Sections 406, 420,
467, 468 and 471 of the Indian Penal Code.

3. According to prosecution case, the petitioner got
his appointment in a Government School on the basis of forged
document.

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
allegation as alleged in the F.I.R. is false and fabricated and the
petitioner has not committed any offences as alleged in the



F.I.R. As per the allegation in the F.I.R., the petitioner has produced the forged domicile certificate for obtaining the service in the school in question. He further submits that the petitioner has submitted the original domicile certificate which was issued by the competent authority and after the present F.I.R., the service of the petitioner is terminated by the authority concerned and without asking any explanation from the petitioner, the present F.I.R. has been instituted and the petitioner has been removed from the service in question.

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

6. Considering the aforesaid facts that the petitioner is having clean antecedent and before asking any show cause the petitioner has been terminated from the post in question and apart from that the petitioner has not been asked about any show cause in respect to domicile certificate in question, 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, Buxar in connection with Itarhi P.S. Case



No. 198 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 2023 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 bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J.)

Jyoti Kumari/-

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