

GAHC010215652022



**THE GAUHATI HIGH COURT  
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)**

**Case No. : Bail Appln./2803/2022**

VIJAY SANKAR YADAV  
SON OF SRI GOVERDHAN YADAV  
R/O VILL- LAUHER, P.S. SIKANDARPUR, DIST. BALLIA, STATE- UTTAR  
PRADESH, INDIA,  
PIN- 209402

VERSUS

THE STATE OF ASSAM  
REP. BY THE PP, ASSAM

**Advocate for the Petitioner : MR P SHARMA**

**Advocate for the Respondent : PP, ASSAM**

**BEFORE  
HONOURABLE MR. JUSTICE KALYAN RAI SURANA**

**ORDER**

**Date : 31-10-2022**

Heard Mr. P. Sharma, learned counsel for the petitioner as well as Mr. Bhaskar Sarma, learned APP for the State.

The petitioner, namely, Vijay Sankar Yadav who was arrested on 03.09.2022 in connection with Paltanbazar P.S. case no.435/2022 under sections

120(B)/468/471/472/34 IPC, is seeking regular bail by filing this application under section 439 Cr.P.C.

The learned APP has produced the case diary and has opposed the prayer for bail.

On a perusal of the case diary it is seen that the petitioner is the prime accused and was involved in manufacturing of illegal permanent residential certificate so as to enable the aspirants in various police recruitment examination to avail certain relaxations earmarked for people from North Eastern states and such certificates are temporarily issued to the persons those who are outside the North Eastern states.

It is also noted that the Aadhar Card, duplicate seals of various govt. officials of the State of Assam, State of Nagaland and other North Eastern states including duplicate certificates of high public officials of the State were recovered from the possession of the petitioner. Nonetheless, as the petitioner has already spent 59 days in custody, the Court is of the considered opinion that the custodial interrogation of the petitioner is not required. Hence, the Court is inclined to release the petitioner, namely, Vijay Sankar Yadav on bail on furnishing a bail bond of Rs.2,00,000/- (Rupees two lakhs only) with two sureties of like amount to the satisfaction of the learned Chief Judicial Magistrate, Kamrup (Metro), Guwahati.

Bail is granted on the following conditions:

1. The petitioner shall appear before the Court in the present case on all the dates fixed for trial.
2. The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the

facts of the case so as to dissuade him from disclosing such facts to Court or to any police officer or tamper with the evidence. He shall not, in any manner, try to overawe or influence or intimidate the prosecution witness.

3. The petitioner shall not obstruct the smooth progress of the trial/ investigation.
4. The petitioner shall not misuse his liberty in any manner.
5. The petitioner shall not jump over the bail.
6. The petitioner shall once again appear before the IO within 7(seven) days from the date of his release and shall give attendance before the IO once every 15 days till his personal appearance is dispensed with or charge sheet is submitted, whichever is earlier.
7. The petitioner shall not leave the jurisdiction of Kamrup (Metro) district without prior intimation to the IO.
8. As the petitioner is not a resident of the State, the learned Addl. PP has rightly expressed his anxiety that the petitioner may abscond. Therefore, before the acceptance of the bail bond, the petitioner shall surrender his passport along with the Bail bond before the Court of learned Chief Judicial Magistrate, Kamrup (Metro), Guwahati. However, if the petitioner does not have a passport it would be permissible to the learned Chief Judicial Magistrate to make an inquiry with the Passport office as to whether the petitioner has a passport or not.
9. In the event the passport is not available it would be open to the learned Chief Judicial Magistrate, Kamrup (Metro), Guwahati to satisfy himself as regards the proof of identity of the petitioner.

Be it mentioned that the condition nos. 8 and 9 have been imposed because the petitioner is a resident of District Balia in Uttar Pradesh and moreover, in this case, the petitioner has been arrested for manufacturing fake identities and fake resident certificates. Therefore, it is quite possible that the petitioner may not be released for a few days till the learned Chief Judicial Magistrate, Kamrup (M), Guwahati is satisfied with the genuinety of the documents submitted by the petitioner along with his bail bond.

The application stands disposed of.

Case diary is returned.

**JUDGE**

**Comparing Assistant**