

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14303 of 2023

Arising Out of PS. Case No.-155 Year-2022 Thana- JAGDISHPUR District- Bhagalpur

Praveen Kumar @ Praveen Kumar Gosh @ Sintu Kumar Son Of Late Shiv Chandra Ghosh R/O Mohalla- Badai Tola, Bhikhanpur, P.S.- Ishak Chak, District- Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Narayabn, Sr. Advocate

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 11-10-2023 Heard Mr. Rajendra Narayan, learned Senior counsel for the petitioner and Mr. Ramchandra Sahni, learned APP for the State.

2. The petitioner is apprehending his arrest connection with Jagdishpur P.S. Case No. 155 of 2022, F.I.R. dated 27.04.2022 registered for the offences punishable under Sections 406, 420 of the Indian Penal Code.

3. The prosecution case, in brief, is that one video is being viral by some unauthorized persons entered in the office of Revenue Karamchari and making some forgery on Government file.

4. Learned Senior counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated



in the present case. He further submits that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during investigation on the basis of the investigation of the Officer In-charge of the concerned police station Mr. Srikant Chouhan. He further submits that the petitioner is one of the witness of the complaint petition i.e. Complaint Case No. 1558 of 2021 which was filed by one Priya Ranjan Das against the person S.H.O. Srikant Chouhan and the petitioner is one of the witness of the aforesaid complaint petition and hence he has been implicated in the present case and in fact the mother of the petitioner is working in the same office and every one is aware that the petitioner is son and even it appears from the F.I.R. that after seeing the so called video phootage he should have instituted the F.I.R. but he has not instituted the F.I.R.

5. Learned APP for the State, on the other hand, on the basis of material available on record, has opposed the prayer for anticipatory bail of the petitioner and submits that it has come during investigation that the petitioner was present at the place of occurrence in the restatement of the informant in several paragraphs of the case diary and apart from that the petitioner carries two more cases other than the present one but fairly submits that out of two cases, the petitioner is on bail in



one case.

6. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Jagdishpur P.S. Case No. 155 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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)

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