

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55045 of 2023

Arising Out of PS. Case No.-51 Year-2023 Thana- KORMA District- Sheikhpura

Vidyanand Prasad Son Of Late Rajendra Prasad R/O-Hasanganj, P.S.-
Sheikhpura, Distt.-Sheikhpura

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar Singh, Sr. Advocate
	:	Mr. Roop Kishan, Advocate
	:	Mr. Manish Kumar Singh, Advocate
	:	Mr. Rahul Singh, Advocate
For the Opposite Party/s	:	Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 09-11-2023 Heard Mr. Rajesh Kumar Singh, learned senior
counsel appearing for the petitioner and Mr. Anant Kumar 1,
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Korma P.S. Case No. 51 of 2023, FIR dated
13.03.2023 registered for the offences punishable under
Sections 409, 420, 34 of IPC.

3. According to prosecution case, the role of the
petitioner is only to make proposal before the Government for
implementation of the Government scheme in the village where
the members of Schedule Caste/Schedule Tribe resides.

4. Learned senior counsel for the petitioner submits



that the petitioner has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has no concern at all with the alleged occurrence and in fact the petitioner has written a letter to the B.D.O. with respect to the work in question and he has categorically stated that the work in question has not been completed. Further submits that the Implementation Committee of the work in question is assigned to Mukhiya and other Members of the Implementation Committee and the petitioner has no concern at all with the execution of the work in question and he has been made accused only on the ground that he is Panchayat Secretary of the concerned Panchayat.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that it is admitted position that the work in question has not been completed by the petitioner and other co-accused persons and apart from the aforesaid, the petitioner carries four more cases other than the present one but fairly submits that out of four cases, the petitioner is on bail in two cases and rest two cases are pending for consideration, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts, 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 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M.-1st Class, Sheikhpura in connection with Korma P.S.Case No.51 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure 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/her absence on two consecutive dates without sufficient reason, his/her 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/her 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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