

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62533 of 2022

Arising Out of PS. Case No.-174 Year-2021 Thana- VIJAYEPUR District- Gopalganj

SHATRUNJAY MISHRA SON OF LATE JALESHWAR MISHRA R/O
VILL.- MARAR KHAS, P.S.- VIJAIPUR, DISTT.- GOPALGANJ

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nityanand Mishra, Adv.
For the Opposite Party/s : Mr. Ajay Mishra, APP

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 12-01-2023 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Vijaipur P.S. Case No. 173 of 2021 registered under Sections
420, 467, 468, 471 and 120(B) of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioner
submits that petitioner has clean antecedent and has falsely been
implicated in the present case. He has no concern with the
allegation as alleged in the first information report. He further
submits that other co-accused person namely Virendra Kumar
Rahi has already been allowed bail by a co-ordinate Bench of
this Court for the same offence vide order dated 14.12.2022 in
connection with Vijaipur P.S. Case No. 173 of 2021 passed in
Cr. Misc. No. 48116 of 2022, as contained in Annexure-3 to the



supplementary affidavit.

Having considered the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gopalganj in connection with Vijaipur P.S. Case No. 173 of 2021, subject to the condition as laid down under Section 438(2) of the Cr. P.C. and with other following conditions:-

1. At the time of furnishing the bail bond, the petitioner shall produce the resignation/termination letter before the Magistrate/Competent Authority.

2. 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.

3. 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.

4. 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.

(Arvind Srivastava, J)

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