

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24437 of 2024

Arising Out of PS. Case No.-193 Year-2023 Thana- MAHESHKHUNT District- Khagaria

Vinay Singh son of Late Bateshwar Singh Resident of Village- Baurna PS-
Gogri Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 26-07-2024 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing on behalf of the
informant.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 420, 406 and
376/34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of four cases and the informant alleges
that her husband died in the year 2019, thereafter she started
teaching in R.P. Sainik School at Khagaria since January, 2022,
where one Manish Kumar was also working as a teacher. Further,
Manish Kumar left the said school and joined Residential Global
International School at Khagaria. Further, on advice of Manish
Kumar, informant also joined the said school and started residing
in the accommodation provided by the school along with her



children and also started teaching. Further, Shivram Singh was the Principal of the school. It is next alleged that father of Shivram Singh, namely, Vinay Singh (petitioner) took Rs.5 lakhs in name of providing government job for which an agreement dated 30.04.2022 was prepared on which wife of Vinay Singh signed as a witness. Further, alleges that Shivram Singh got 5 Kathas, 1 Dhur, 12 Dhurki of land of the informant registered on the pretext of her making a partner in the school, thereafter petitioner along with his wife and Shivram Singh took another Rs.3 lakhs for opening a new branch of the school. Further, when nothing happened, the informant demanded her money back on which Shivram Singh threatened to kill both her sons and exploited her physically and the informant was not allowed to leave the school premises but her son fell ill on the said pretext that her son requires medical attention the informant somehow managed to come out of the school for two hours, thereafter the instant FIR was instituted.

4. Learned counsel for the petitioner submits that from bare perusal of the allegation as alleged in the FIR, it would manifest that as far as this petitioner is concerned, the allegation against him is that he took Rs.5 lakhs from the informant in the name of providing her a government job and thereafter in connivance with Shivram Singh and his wife took another Rs.3



lakhs in the name of opening a branch of the school. It is further submitted that as far as physical exploitation of the informant is alleged, the same is against Shivram Singh. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the informant left the school in May, 2023 and the FIR came to be instituted on 19.09.2023 i.e. four months after she left the school, as such, it is submitted that after the informant came out of the school she came in trap of one Deepak Singh who is an accused of Gogri P.S. Case No. 154 of 2021 in which petitioner and his family are witness and trial is progressing, as such, the instant FIR has been instituted to coerce the petitioner and his family into submission. It is further submitted that petitioner is not alleged to have physically exploited the informant. It is next submitted that as far as allegation of giving Rs.5 lakhs in the name of providing government job is alleged, it is submitted that if the said allegation is true then informant has also committed an offence that she intended to get a government job through backdoor by giving bribe.

5. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant opposed the prayer for anticipatory bail of the petitioner. Learned counsel appearing on behalf of the informant submits that petitioner has not approached this Court with clean hand as the petitioner has antecedent of six



cases but then only four cases are disclosed at para 3 of the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Maheshkhunt P.S. Case No. 193 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, the learned trial court, before accepting the bail bonds of the petitioner, shall verify the criminal antecedent of the petitioner and if it is found that petitioner has antecedent of more than four cases in that event the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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