

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65237 of 2024

Arising Out of PS. Case No.-289 Year-2022 Thana- CHAPRA MUFFASIL District- Saran

Vishal Dev Son of Krishna Kumar Srivastava R/o Village- Salapatgaj, Gudari
Bazar, P.S.- Bhawan Bazar, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Avinash Kumar Pandey, Advocate
	:	Mr. Rajiv Ranjan, Advocate
For the State	:	Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-10-2024 Learned counsel for the petitioner is directed to
make necessary correction in para-1 of the anticipatory bail
petition in course of the day.

2. Heard Mr. Avinash Kumar Pandey, learned counsel
for the petitioner and Mr. Anil Kumar, learned Additional
Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in
connection with Muffasil P.S. Case No. 289 of 2022 F.I.R. dated
22.04.2022 for the offences punishable under Sections 406, 409,
420, 477A and 120B of Indian Penal Code.

4. According to prosecution case, the allegation is that
the petitioner along with the acting Principal and other staff of
the college used to create unwanted situation in the college by



concealing important items and tools of the college in view to gain benefit and there is also allegation of taking bribe from students and the petitioner along with other co-accused persons also threatened the informant and other working people to entangle in false case.

5. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR and the present occurrence took place due to communication gap between the Principal and the Secretary of the college and the Principal has already filed a Complaint Case on 19.04.2022 and apart from that, the college in question has not paid the salary to the employees so they have agitated and thereafter the concerned authority has filed the false FIR against the petitioner and other co-accused persons.

6. Learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances and petitioner has clean antecedent, let the petitioner, above named, in the event of 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 bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IX, Saran at Chapra in connection with Muffasil P.S. Case No. 289 of 2022 , 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 absence on two consecutive dates without sufficient reason, his 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 criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond 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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