

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5640 of 2025

Arising Out of PS. Case No.-251 Year-2024 Thana- BUXAR INDUSTRIAL District- Buxar

Devanand Mishra S/O Parshuram Mishra Village- Sonbarsa, P.S.- Sonbarsa,
District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Om Prakash Upadhyay, Advocate

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-02-2025 Heard Mr. Om Prakash Upadhyay, learned counsel for
the petitioner and Mr. Syed Mojibur Rahman, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Buxar Industrial P.S. Case No. 251 of 2024, F.I.R. dated 25.10.2024 for the offences punishable under Sections 326(f), 326(g) of the B.N.S.

3. According to prosecution case, petitioner along with other co-accused persons have put fire into the shop of the informant and caused huge loss to the informant.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the FIR is false and fabricated and the



petitioner has not committed any offence as alleged in the FIR. He further submits that from a bare perusal of the FIR it appears that one Ankit Mishra along with the petitioner and other co-accused persons have entered into the shop of the informant and it is alleged that Ankit Mishra has put fire on the shop of the informant. He further submits that from a bare perusal of the FIR it appears that there is no specific allegation against the petitioner in the FIR, only allegation against him is that he was present along with the co-accused person.

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

6. Considering the aforesaid facts that the petitioner has clean antecedent and there is no specific allegation against the petitioner in the FIR, 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 bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Buxar in connection with Buxar Industrial P.S. Case No. 251 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure/Section 482(2) of the B.N.S.S., 2023 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 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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