

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16771 of 2025

Arising Out of PS. Case No.-148 Year-2024 Thana- PATEPUR District- Vaishali

Ram Sagar Sah @ Ramsagar Sah S/O Late Maujilal Sah R/O Village-Prataptand, P.S- Bhagwanpur, Distt.- Vaishali. Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Vandana, Advocate
For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-04-2025 Heard Ms. Kumari Vandana, learned counsel for the

petitioner as well as Mr. Parmeshwar Mehta, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Patepur P.S. Case No. 148 of 2024, F.I.R. dated 31.05.2024 for the offences punishable under Section 409 of the Indian Penal Code.

3. According to prosecution case, the petitioner has not submitted his charge next to person, namely, Vidyadhar Mishra with respect to attendance register of Employees Bill Book Service Book and after that the informant issued a show cause to the petitioner.

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 F.I.R. is false and fabricated and the petitioner has

not committed any offences as alleged in the F.I.R. The petitioner had retired from the post in question on 31.08.2012 and after twelve years of retirement, the petitioner has been show caused to explain about the one file and the petitioner has not send the reply to the show cause after that the present FIR has been instituted by the C.D.P.O., Patepur. He further submits that in fact, the petitioner has handed over all the documents in the year 2009 when he was relieved from the office of the C.D.P.O., Patepur to his successor in the office and he has no role in the present occurrence as alleged in the FIR.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts that the petitioner has clean antecedent and he was retired from the service in the year 2012 and he handed over all the documents in the year 2009 itself to his successor, 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 Additional Sessions Judge-V, Vaishali at Hajipur in connection with Patepur P.S. Case No. 148 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of

Criminal Procedure/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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