

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21975 of 2025

Arising Out of PS. Case No.-278 Year-2020 Thana- KOTWALI District- Patna

Vishnu Prasad Gupta Son of Late Nathuni Prasad Gupta @ Late Nathuni Sah
Resident of Village- Yusufpur, Ward No. 14, P.O.- Baburban, P.S.- Bajpatti,
Distt.- Sitamarhi, PIN Code-843314 (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar, Advocate

For the Opposite Party/s : Ms. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-05-2025 Heard Learned Counsel for the petitioner and Learned
APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as 'the BNSS, 2023') for grant of anticipatory bail to the petitioner who apprehends arrest in connection with Kotwali P.S. Case No. 278 of 2020, lodged on 01.07.2020, under Sections 417/418/419/420/465/467/ 468 / 120B of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against the petitioner alleging that he has entered into the service by committing forgery on the basis of forged and fabricated document.



4. Learned Counsel for the petitioner submits that the petitioner has been appointed in the concerned department by virtue of compassionate appointment on the post of Chaukidar in the year 1996 and during the service period he has continuously worked but in the year 2020 departmental proceeding was initiated against the petitioner and by virtue of departmental proceeding, he had been removed from service in the year 2020 and criminal case was also filed. Counsel submits that there is no chance of absconding the petitioner in this case. He has already been removed from service and pursuing for departmental remedy. Criminal case has also been filed. Counsel submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that allegation against the petitioner is that he has entered in service by committing forge. The offence against the petitioner is magisterial triable.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand)



as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Chief Judicial Magistrate, Patna, in connection with Kotwali P.S. Case No. 278 of 2020, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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