

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55855 of 2025

Arising Out of PS. Case No.-53 Year-2010 Thana- KATIHAR MUFFASIL District- Katihar

Raushan Raj S/O Late Amrendra Singh Resident of Village- Arniya, P.O.-
Arniya, P.S.- Jandaha, Dist.- Vaishali At Present R/O Vill.- Bawanganj, P.S.-
Korha, Dist.- Katihar Petitioner/s

Versus

The State of Bihar Patna Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 60908 of 2025

Arising Out of PS. Case No.-53 Year-2010 Thana- KATIHAR MUFFASIL District- Katihar

Vikash Kumar S/O Yogendra Tiwari R/O Mirchaibari, P.S.- Sahayak, Dist.-
Khagaria. At Present R/O Jhanhara, P.S.- Pasraha, Dist.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 55855 of 2025)

For the Petitioner/s : Mr.Dinesh Kumar Gupta, Advocate
Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr.Ajay Mishra, APP

(In CRIMINAL MISCELLANEOUS No. 60908 of 2025)

For the Petitioner/s : Mr. Siddhartha Prasad, Advocate

For the Opposite Party/s : Mr.Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 08-09-2025 Heard Mr. Dinesh Kumar Gupta, learned counsel for

the petitioner in Cr. Misc. No. 55855 of 2025 (Raushan Raj vs.

the State of Bihar) and Mr. Siddhartha Prasad, learned counsel

for the petitioner in Cr. Misc 60908 of 2025 (Vikash Kumar vs.

The State of Bihar)

2. The petitioners are apprehending arrest in

connection with Muffasil P.S. Case No. 53 of 2010 instituted

under Sections 419, 420, 467, 468, 471, 120(B) of the Indian



Penal Code lodged on 19.06.2010 by the informant, P.S. Bedi.

3. As per the prosecution story, the informant, a Colonel with the Indian Army posted at Katihar Military Camp alleged that at the time of recruitment in the year 2009, the candidates submitted their credentials in which some of the domicile certificates, on verification were found to have not been issued by the concerned office and as such enclosing the list, request for lodging of the FIR was made. This led to institution of Muffasil P.S. Case No. 53 of 2010.

4. Learned counsel for the petitioners submit that they had submitted genuine certificates, when and how it was found to be not issued never came to their knowledge inasmuch as they were not noticed so that they put forward their stand as also show their innocence. The submission is that having not qualified, they had resigned to their fate, in case of Vikash Kumar (Cr. Misc. No. 60908 of 2025), he subsequently got recruited under C.R.P.F. and presently posted in Koilwar, now this Damocles sword is hanging over them. The further submissions is that they are ready to abide by all the terms and conditions and shall be appearing in trial.

5. The last submission is that some of the similar situate persons have been extended relief in Cr. Misc. No. 31836



of 2025 (Ajay Kumar Singh) and in Cr. Misc. No. 27838 of 2025 (Abhay Kumar Singh) by the coordinate benches.

6. Learned APP in both the cases opposes the prayer submitting that even in the case of recruitment in Indian Army, they chose to submit wrong certificates and as such must face the consequences.

7. Considering the submissions of the parties as also the fact and taking into account that both do not have criminal antecedent, one of the petitioner is now serving in C.R.P.F., an undertaking has been given that they shall be diligently appearing in trial, some of the co-accused have been granted relief as stated above, in that background, this Court is inclined to extend them the privilege of anticipatory bail.

8. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Muffasil P.S. Case No. 53 of 2010 to the satisfaction of learned CJM, Katihar or concerned Court at Katihar subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.



(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall co-operate in the investigation and make themselves available to the police as and when required;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

Ravi/-

U		T	
---	--	---	--

