

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3626 of 2025

Arising Out of PS. Case No.-284 Year-2023 Thana- AMNAUR District- Saran

Bipul Mahto Son of Anup Mahto @ Anup Prasad Resident of Vill- Amnour
Sultan Jan, P.S.- Amnour, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 05-05-2025 Heard Mr. Vijay Kumar, learned counsel for the

petitioner and Mr. Anil Kumar, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Amnour P.S. Case No. 284 of 2023, F.I.R. dated
18.11.2023 for the offences punishable under Sections 420, 467,
468, 471 and 120(B) of the Indian Penal Code.

3. According to prosecution case, the co-accused,
namely, Vikash Kumar and the petitioner with the intention of
trapping the informant and his family got fact treatment done at
Amnour PHC and filed an application, he got prepared forged
X-ray and injury report etc.

4. Learned counsel for the petitioner submits that
petitioner 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. He further submits that from perusal of the F.I.R it appears that the main allegation is against the co-accused, namely, Vikahs Kumar that he has obtained the fake medical certificate and due to aforesaid fake medical certificate, the informant was apprehended and sent for judicial custody. He further submits that it appears from the F.I.R. that there is no specific allegation against the petitioner and other co-accused persons and only allegation against the petitioner is that he was also involved in the present crime in question along with the other co-accused and the co-accused Vikash Kumar, who obtained the fake medical certificate has been granted the privilege of anticipatory bail vide order dated 14.11.2024 in Cr. Misc. No. 77131 of 2024 by a Co-ordinate Bench of this Court.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is named in the F.I.R and apart from that the petitioner carries one criminal antecedent other than the present one.

6. Considering the aforesaid facts, there is no specific allegation against the petitioner in the F.I.R and the



specific allegation is attributed against the co-accused person in the F.I.R. and the said co-accused person has been granted bail by a Co-ordinate Bench of this Court, 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 A.C.J.M.-VIII, Saran at Chapra in connection with Amnour P.S. Case No. 284 of 2023, 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)

Jyoti Kumari/-

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