

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36303 of 2026

Arising Out of PS. Case No.-154 Year-2024 Thana- JIRADEI District- Siwan

Mukesh Kumar Roy S/o Manager Roy R/o C - 2/16 Mangal Apartment
Vasundhara Enclave, P.S - New Ashok Nagar, S/O East Delhi, Delhi - 110096
Dist- East Delhi, Chairman - cum - Managing Director, Pratik College of
Education Pharmacy Institution.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Adv.
Mr. Suman Kumar, Adv.
For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 27-07-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection
with Ziradei P.S. Case No. 154 of 2024 dated 15.10.2024
registered for the offence punishable under Section/s 420/34 of
the Indian Penal Code.

3. As per the prosecution case, the accusation against the
petitioner is that he in capacity of Chairman of Prateek College
of Education, Ziradei, Siwan in association with other co-
accused persons made cheating with Bihar Health Science
University, Mithapur, Patna for obtaining affiliation of Bihar
Science University, Mithapur by producing forged and
fabricated No Objection Certificate.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the instant case. It is next submitted that the No Objection Certificate (NOC), which, according to the prosecution, has been found to be forged, was declared to be forged without affording the petitioner any opportunity of personal hearing. The petitioner was also not given an opportunity to present his case with the supportive materials before such conclusions having been arrived at. It is the case of the petitioner that the NOC which has been found to be fake, affiliation to the said institution has not been granted, while the Consultant entrusted with the work, who is alleged to have been found to be involved in such commission of offence, the Chairman of the Trust has already lodged an F.I.R. being Ziradei P.S. Case No. 166 of 2024 dated 24.10.2024. The petitioner is only the Managing Director of the Trust and has no direct role in the matters of the affiliation and the process of obtaining NOC, and save and except a similar case lodged by the same party, no other criminal case is pending against him and is ready to cooperate in the investigation and trial, if forwarded on finding the allegation to be true.

5. Learned APP for the State opposes the prayer for grant



of anticipatory bail.

6. In view of the fact that the petitioner was not given an opportunity of being heard before the conclusion was arrived that the NOC was forged and that the efforts made by the petitioner in his capacity as a member of the Trustee to lodge an F.I.R. against the consultant with whom the petitioner had entered into an agreement for carrying out this and the petitioner not having any role in obtaining affiliation, let the petitioner, above named, be released on anticipatory bail in the event of his arrest or surrender before the court below within a period of six weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Ziradei P.S. Case No. 154 of 2024, subject to the condition as laid down under Section 482(2) of the B.N.S.S. as well as the following conditions:

(i) One of the bailors should be the family member/relative/known of the petitioner who shall provide official document / personal affidavit to show his/her bona fide;

(ii) the petitioner 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 his bail



bond by the Trial Court itself;

(iii) the petitioner 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;

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

(Ajit Kumar, J)

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