

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35838 of 2015

Arising Out of PS.Case No. -2 Year- 2015 Thana -NAWINAGAR District- AURANGABAD

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Yogendra Kumar Gautam, Son of Late Rajnath Singh

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Nath, Advocate

For the Opposite Party/s : Mr. Smt.Pushpa Sinha (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 07-09-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 419, 420, 467, 468, 471/34 of the Indian Penal Code.

It is alleged that the petitioner got absorbed as clerk at the Health Sub-centre, Kalapahar in the district of Aurangabad on the basis of forged appointment letter.

It is submitted by learned counsel for the petitioner that the petitioner was initially appointed as Voluntary Health Worker in 1983, subsequently, he was appointed on the post of clerk in 1990, but in 2003, the services of the petitioner were terminated which was challenged in CWJC No.4807 of 2003, the same was allowed vide order dated 08.09.2003. Thereafter, the State preferred LPA No. 1053 of 2003 against the order passed in

CWJC No.4807 of 2003 wherein the state government was directed to hold enquiry with regard to the appointment of the petitioner. After conclusion of enquiry, the appointment of the petitioner was held illegal and, thereafter, the enquiry report was challenged in CWJC No.9717 of 2008, which was allowed vide order dated 06.10.2009. Ultimately the matter travelled up to the Apex Court.

Considering the fact that several times the petitioner was terminated and reinstated, 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 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in connection with Nabinagar P.S. Case No.2 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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