

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19257 of 2016

Arising Out of PS.Case No. -12 Year- 2016 Thana -MAHESHKHUNT District-
KHAGARIA

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1. Amit Kumar, son of Sheetal Prasad Singh, Resident of
village-Chaidha, Police Station-Mahesh Khunt, District-
Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh, Adv.

For the Opposite Party/s : Mrs. Sangita Sharma (App)

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 18-05-2016 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Maheshkhunt P.S. Case No.12 of 2016,
disclosing offences under Sections 467, 468, 471, 420 and
120B/34 of the Indian Penal Code.

The petitioner was appointed as Shiksha Mitra
in Gram Panchayat Raj, Banni at Khagaria. In support of
his qualification, he had produced a certificate issued by

the Board of Higher Secondary Education, Delhi. On the allegation that the said Institution was fake one, the service of the petitioner came to be dispensed with. The present First Information Report has been lodged with an allegation that the petitioner had fraudulently secured employment on the basis of a forged certificate.

Learned counsel for the petitioner has submitted that no case, under Section 467/468 or 420 of the Indian Penal Code, is made out against the petitioner, since he relied on a certificate issued by the Board. On the ground that the said Institution did not have recognition, the petitioner could not have been implicated in a criminal case. Learned counsel for the petitioner has also submitted that the said Board has due recognition by the competent authority.

Considering the facts and circumstances and the nature of accusation against the petitioner, this application is allowed. Let the petitioner, abovenamed, in the event of his arrest or surrender before the court below within six weeks, be released on bail 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, Khagaria**, in connection with **Maheshkhunt P.S. Case No.12 of**

2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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