

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51540 of 2016

Arising Out of PS.Case No. -202 Year- 2015 Thana -ARWAL District- JEHANABAD

Md. Taiyab, Son of Idrish Kuraishi @ Md. Idrish, Resident of Village - Koch Dihra, P.S. - Khiri More, District - Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. (Dr.) Kumar Uday Pratap, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 05-12-2016 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner is languishing in custody since 24.08.2016 in connection with Arwal P.S. Case No. 202/15 for offences punishable under Sections 420, 467, 468, 471 of the Indian Penal Code.

The prosecution case, as lodged by the Vigilance Bureau of the State Government, is that the petitioner's B.Ed. educational qualification has been found to be not genuine in the verification done in pursuance to the direction of this Court, passed in Public Interest Litigation bearing C.W.J.C. No. 15459 of 2014.

It has been submitted by the learned counsel for the petitioner that he had joined as Assistant Teacher in a



Higher Secondary School, but has not taken any remuneration from the date of joining till 24.08.2015 when he left the school, hence, there is no loss to the public exchequer. He submits that the charge-sheet has already been submitted against him, hence, there is no chance of tampering with the prosecution evidence.

However, learned APP for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since the charge-sheet has already been submitted and from the materials available it does not reveal that the petitioner's liberty on bail would adversely affect his trial, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Arwal, in connection with Arwal P.S. Case No. 202/15.

This direction of bail is further subject to the condition that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence and shall appear before the learned



Court below as and when directed.

With these observations and directions, the
application stands allowed.

(Nilu Agrawal, J.)

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