

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36421 of 2016

Arising Out of PS.Case No. -87 Year- 2016 Thana -MANSI District- KHAGARIA

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1. Bibha Kumari Daughter of Brahamdeo Prasad Singh (Wife of Pravin Kumar) Resident of Village Purbi Thatha, Police Station- Mansi, District- Khagaria.
2. Sunil Kumar Son of Upendra Paswan, Resident of village-Choti Rani Sakarpura, Police Station- Khagaria, District- Khagaria.

.... Petitioners

Versus

1. The State of Bihar.
2. The Managing Director, Vigilance Investigation Bureau, Patna.

.... Opposite Parties

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Appearance:

For the Petitioners : Mr. Viveka Nand Singh, Adv.

For the Opposite Parties : Mr. Amit Kumar Rakesh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 20-09-2016 Heard learned counsel for the petitioners, learned counsel for the Vigilance Investigation Bureau and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 467, 468, 471, 420, 120(B)/34 of the Indian Penal Code registered in connection with Mansi P.S. Case No. 87 of 2016.

3. It is submitted that the petitioners being the Prakhand Teachers were appointed in the years 2008 and 2007 respectively, *inter alia*, on the basis of certificates issued to them in the years 2002 and 1995 respectively. from the Madhyamik Shiksha Parishad, Delhi (Board of Higher Secondary Education, Delhi). It is submitted that at the relevant time of appointment the said Board of Higher Secondary Education, Delhi did not figure in the list of 28 fake institutions issued on 25.08.2008 by the State Government.

4. Learned counsel for the Vigilance Investigation Bureau appears and has been heard.

5. Having regard to the entirety of the facts and circumstances of the case, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Mansi P.S. Case No. 87 of 2016, subject to the conditions as laid down under Section 438(2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors of each of the petitioners shall be their close relative.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) The petitioners shall cooperate with the investigation and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) The petitioners will be well represented in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Md. Ibrarul/Chandran

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