

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17531 of 2016

Arising Out of PS.Case No. -114 Year- 2015 Thana -DHORAIYA District- BANKA

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1. Raj Kumar Paswan Son of Moti Lal Paswan Resident of Village -
Mathurapur, P.S. Dhoraiya, District - Banka

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Veena Kri.Jaiswal(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 03-05-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered under

Sections-420, 467, 468 of the Indian Penal Code.

Petitioner got appointment on the post of Panchayat

Teacher on the basis of forged handicapped certificate.

Submission on behalf of petitioner is that the

petitioner happens to be a handicapped person and as a matter of

fact, the aforesaid certificate had been issued by In-charge,

Medical Officer, Referral Hospital, Baunsi, Banka and when a

show cause notice was received by the petitioner, the petitioner

filed a petition under Right to Information Act before the

competent authority but the aforesaid competent authority replied

that the copy of the aforesaid certificate is not available in his office. Moreover, petitioner is in jail custody since 27-02-2016 and it appears that investigation against him has already been completed. It is settled principle of law that at pre-conviction stage, the innocence of accused is presumed.

Accordingly, the petitioner named above, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Dhoraiya P.S. Case No. 114 of 2015 to the satisfaction of learned Chief Judicial Magistrate, Banka.

(Hemant Kumar Srivastava, J)

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