

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30085 of 2016

Arising Out of PS.Case No. -12 Year- 2016 Thana -BHANGWANPUR HAT District- SIWAN

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Uday Shankar Prasad Son of Bijay Kumar Prasad, Resident of Village-
Paigamberpur, Police Station- Baniyapur, District- Saran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Satya Prakash, Advocate.

For the Opposite Party : Mr. Ram Naresh Ray, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 14-09-2016 Heard both sides.

The petitioner apprehends his arrest in Bhagwanpur P.S. Case No. 12 of 2016 registered for the offences punishable under Sections 419, 420, 409, 465, 467, 468 and 471 of the Indian Penal Code.

The petitioner is alleged to have submitted forged certificate of B.Ed and got appointment on the post of teacher in High School Hilsar, Bhagwanpur, Siwan.

Learned counsel for the petitioner submits that the petitioner is ready to return the entire amount of salary which he has taken as a teacher in the school.

It appears that CWJC No. 15459 of 2014 was filed in which there was a direction that if a person who got appointment as a teacher on the basis of forged certificate may resign and no

case and no recovery shall be made but in spite of the aforesaid order, the petitioner chose to remain in service. On investigation and enquiry, it transpired that B.Ed certificate of the petitioner bearing Roll No. 75468 of the year 2014 from Veer Bahadur Singh Purwanchal University, Jounpur was found to be forged and fabricated.

Considering the facts aforesaid and the fact that the petitioner got job of a teacher on the basis of forged certificate submitted by him and he did not resign even after order of this Court, I am not inclined to enlarge the petitioner above named on anticipatory bail in Bhagwanpur P.S. Case No. 12 of 2016, pending in the court of Additional Chief Judicial Magistrate X, Siwan. Accordingly, the same is rejected.

However, if the petitioner deposits the salary of Rs. 2,80,840/- received by him within two months, the court below shall consider the prayer for regular bail of the petitioner taking into consideration that the petitioner has already deposited the entire amount and dispose of the bail petition of the petitioner preferably on the same day.

(Prabhat Kumar Jha, J.)

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