

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17818 of 2016

Arising Out of PS.Case No. -81 Year- 2016 Thana -GOPALGANJ CITY District- GOPALGANJ

Hare Ram Pandey, Son of late Indra Deo Pandey, resident of Village-Hajiapur, ward no. 23, Police Station -Gopalganj, District Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 04-05-2016 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner apprehends arrest in connection with
Gopalganj Town P.S. Case No. 81/16 for offences alleged under
Sections 420, 467 and 468 of the Indian Penal Code.

The prosecution case, as lodged by the informant
Dr. Madhu Prabha Singh, Principal, Kamla Rai College,
Gopalganj, is that petitioner joined Gopeshwar College, Hathwa
on the basis of forged relieving letter and last pay certificate and
when it came to the knowledge of the then Principal he wrote
letter to the University that advances are pending against the
petitioner. Petitioner moved this Court for payment of salary and
the Court directed the Principal to institute First Information

Report against him. On the direction of this Court informant got verified the records and found that the two letters were not issued from the College.

It has been submitted by the learned counsel for the petitioner that he had moved this Court for payment of salary wherein the said allegations were put forth against the petitioner in the counter affidavit. It has further been submitted that the then Principal Prof. Chandeshwar Pd. Singh in his statement under Section 161 Cr.P.C. has admitted that the relieving letter and the last pay certificate has been written by his pen. He further submits that no case under Sections 420, 467, 468 of the Indian Penal Code is made out against this petitioner and the petitioner is a regular Assistant of the College being posted from Kamla Rai College, Gopalganj to Gopeshwar College, Hathwa and could not claim excess salary by forging signature of the then Principal Chandeshwar Pd. Singh, who has stated otherwise. He further submits that no departmental proceeding has been instituted against him nor his transfer to Gopeshwar College, Hathwa has been reverted back to Kamla Rai College, Gopalganj.

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

Be that at it may, since the petitioner is posted on a regular post of Assistant and neither the departmental proceeding nor reversion from the present posting of transfer has been made up till now, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of eight weeks from today, be released 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 Additional Sessions Judge-VIII, Gopalganj, in connection with Gopalganj P.S. Case No. 81/16, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Rajesh/-

(Nilu Agrawal, J.)

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