

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37233 of 2017

Arising Out of PS.Case No. -169 Year- 2016 Thana -SHAMBHUGANJ District- BANKA

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Bhawesh Kumar Das, Son of Sakhichand Das , R/o Village- Mirzapur, P.S.-
Shambhuganj, Dsitrict- Banka.

.... Petitioner/s

Versus

1. The State of Bihar, through Department of Vigilance.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Apurwa Kumar, Advocate
Mr. Atul Kumar, Advocate.

For the Vigilance : Mr. Ramakant Sharma (L.O, I/C Vigilance)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 25-08-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Shambhuganj
P.S. Case No. 169 of 2016 instituted for the offence under
Sections 420, 467, 468, 471 and 120(B)/34 of the Indian Penal
Code.

It has been submitted on behalf of the petitioner that
he was bona fide candidate and he has completed BETET 2011
and result card having Sl. No. 6 has been provided by the Bihar
School Examination Board, Patna, to him as qualified teacher. It
has further been submitted that relevant documents in his
possession regarding the appointment and selection as a contract
teacher, has been filed. None of the documents is forged
document. He has not used any forged document for his selection



as a contract teacher.

Learned counsel for the petitioner has submitted that petitioner is always ready to appear before the authority as and when required for investigation with regard to genuineness of those documents. It has further been submitted that other co-accused persons with similar allegations have been granted anticipatory bail by coordinate Benches of this Court vide order dated 07.07.2017 and 01.07.2017 passed in Cr. Misc. 25638 of 2017 and 24723 of 2017 respectively.

There is allegation against this petitioner that he got appointment as Block Teacher by producing documents which are said to be forged.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Shambhuganj P.S. Case No. 169 of 2016, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Banka, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the



jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

S.Ali/-

(Sanjay Priya, J)

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