

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.40959 of 2017**

Arising Out of PS.Case No. -78 Year- 2016 Thana -SAHEBGANJ District- MUZAFFARPUR

=====

Jagannath Kumar @ Jagarnath Kumar, son of Raghubir Bhagat, Resident of  
Village- Rajwara (East), P.S.- Sahabganj, District- Muzaffarpur.

.... .... Petitioner

Versus

1. The State of Bihar.
2. Vigilance Investigation Bureau, Muzaffarpur Region Camp- Patna.

.... .... Opposite Parties

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**Appearance :**

For the Petitioner : Mr. Arun Kumar, Advocate  
For the State : Mr. Sanjay Kumar Sharma, APP  
For the Vigilance : Mr. Rama Kant Sharma, L.O./C Vig.

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      06-09-2017                      Heard the parties.

The petitioner seeks regular bail in connection with  
Sahebganj P.S. Case No.78 of 2016, registered for offences punishable  
under Sections 409, 420, 467, 468 and 471 of the Indian Penal Code.

Allegation against the petitioner is of obtaining the job on  
the basis of forged certificate.

Submission of learned counsel for the petitioner is that  
Bachelor certificate was found forged but the appointment was made on  
the basis of Matriculation certificate. It has further been submitted that  
now the petitioner has already been removed from the service as such,  
he has been penalized for the same and he is in custody for three  
months.

Learned counsel for the Vigilance has opposed the prayer  
for bail on the ground that the petitioner has obtained appointment on  
the basis of forged certificate as some points have been awarded on the



basis of the Bachelor degree also and further he has been given a chance to surrender by a general notice but he has not surrendered. It has also been submitted that he has also not returned the amount, which he has received as his pay.

Having heard both sides and in view of the facts and circumstances, as stated above, since the petitioner has already been removed from service as such, the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., West, Muzaffarpur in connection with Sahebganj P.S. Case No.78 of 2016, with condition that the authority may move for realization of amount paid to him for period he has worked within a period of one year as well as subject to the following conditions:

(i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.

(ii) The petitioner will not induce any witness or tamper with the evidence.

(iii) The petitioner shall co-operate in disposal of trial and make himself available as and when required by the court. In the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, his bail bond shall be cancelled.

With the aforesaid observation, this application is disposed of.

**(Vinod Kumar Sinha, J.)**

S.Kumar/-

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