

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14175 of 2017

Arising Out of PS.Case No. -662 Year- 2016 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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Sindhu Sharma, w/o Anil Sharma, resident of Village- Baghuua Tola, P.S.-
Pirpainty, Distt.- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Vigilance Deptt. Bihar, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh, Advocate.
For the Opposite Party/s : Smt. Nirmala Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 28-04-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Kotwali (Adampur)

P.S. Case No. 662 of 2016 instituted for the offence under Sections
420, 467, 409, 468, 471 and 120B of the Indian Penal Code.

As per prosecution case, Vigilance Investigation Bureau,
submitted a report in terms of the order of this Hon'ble High Court
passed in C.W.J.C. No. 15459 of 2014 against the petitioner and 46
other teachers who got employed in different schools as teachers
through forged certificate which were issued in the name of different
persons. The petitioner committed fraud on the basis of forged
certificate which was issued in the name of different persons.

The name of this petitioner appeared at Sl. No. 11 wherein
it is mentioned that he has committed fraud in caste name, voters name,



marks sheet etc.

It has been submitted on behalf of the petitioner that he has resigned from service on 5.7.2016 in terms of amnesty given by Hon'ble High Court in C.W.J.C. No. 15459 of 2014.

The counsel for the Vigilance has stated that the amnesty was given by the Hon'ble High Court only to those persons who have resigned on 22.6.2015. After perusal of Annexure-3 and 4, it appears that the petitioner has submitted his resignation on 5.7.2016. Petitioner after getting employment on forged certificate, continued to get remuneration from the Government.

Therefore, this Court is not inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner stands rejected.

Petitioner has submitted that he is ready to deposit the amount which he has drawn as salary during the period of his appointment. In the event, he does so, the court below will consider the same in accordance with law at the time of hearing of regular bail application of the petitioner.

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(Sanjay Priya, J)

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