

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20382 of 2017

Arising Out of PS.Case No. -348 Year- 2016 Thana -KOTWALI District- MUNGER

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1. Rajesh Kumar Mishra son of Sri Ramrup Mishra resident of village - Manikpur, P.S.- Sahkund, District - Bhagalpur at present resident of Mohalla - Madhopur, P.S. - Kotwali, District - Munger.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Narayan Singh
For the State : Mr. Rajendra Nath Jha
For the Informant : Mr. Amit Kumar Singh,
Mr. Surinder Kumar

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 20-07-2017 Heard learned counsel for the petitioner and learned
counsel for the State as well as informant.

The petitioner seeks anticipatory bail in a case instituted for the offences under Sections 420, 467 and 468 of the Indian Penal Code.

Petitioner was appointed as a teacher in DAV School, Munger calling himself to be degree holder of B. Ed. Petitioner has filed an application where he has shown passed the B. Ed. examination in 2nd division with 50% marks. The School did not examine the same and allow him to work but in the appointment letter it has been mentioned that he will produce the degree of B. Ed. Several letters were given to



produce the degree of B.Ed. but he did not produce the same. Thereafter pay of the petitioner was blocked then he filed a suit which is pending for consideration.

Allegation has been made in the First Information Report that without producing the B. Ed. degree petitioner has obtained the appointment.

From the record it appears that he has shown himself to be B. Ed but admittedly he has not produce the B. Ed. degree.

Looking to the facts and circumstances of the case, in the event of arrest or surrender within four weeks from today, let petitioner, namely, Rajesh Kumar Mishra, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Munger in connection with Kotwali P.S. Case No.348 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

However, it is made clear that grant of anticipatory bail to the petitioner will not prejudice the case of DAV.

Vinay/-

(Shivaji Pandey, J)

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