

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40950 of 2017

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

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1. Md. Iliyas @ Iliyas, son of Md. Aziz Ahmad,
2. Shakil Ahmad @ Md. Shakil Ahmad, Son of Md. Aziz Ahmad, Both
resident of Village- Ghoshchandra, Post Office- Chaluva, Police Station-
Dhoraiya, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar Through Deptt. of Vigilance

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda

For the Opposite Party/s : Mr. Ramakant Sharma(L.O.,I/C. Vigi)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 06-09-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Shambhuganj P.S. Case
No. 169 of 2016 instituted for the offence under Sections-420, 469,
468, 471, 120(B)/34 of the Indian Penal Code.

It has been submitted that the other accused with similar
allegation has already been granted anticipatory bail by a coordinate
bench of this court vide order dated 01-07-2017 passed in Cr. Misc. No.
24723 of 2017.

In the written report, there is allegation that these
petitioners got appointment on the basis of forged certificates. Learned
counsel for the petitioners has asserted in paragraph-7 of the petition
that they got appointment on the post of teachers on the basis of
genuine certificates.



Learned counsel appearing for the Vigilance has submitted that the petitioners be directed to cooperate in the investigation of the case.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Shambhuganj P.S. Case No. 169 of 2016 to the satisfaction of learned Sub Divisional Judicial Magistrate, Banka subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners 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 petitioners and (3) if petitioners tamper 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 petitioners. The petitioners will cooperated during investigation of the case.

(Sanjay Priya, J)

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