

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38346 of 2017

Arising Out of PS.Case No. -648 Year- 2016 Thana -KHAGARIA District- KHAGARIA

=====

Sanjeev Kumar, S/o Sri Bhagwan Singh, Resident of Village- Sahar Kundi
(Thatha), P.S.- Mansi, District- Khagaria

.... Petitioner/s

Versus

The Additional Director General of Police (A D G), Vigilance Investigation
Bureau, Bihar, Patna

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate
Mr. Binod Kumar, Advocate

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

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 07-09-2017 Heard learned counsel for the petitioner and the

learned counsel for the Vigilance Investigation Bureau.

Petitioner seeks bail in connection with Khagaria
(Gangaur) P.S. Case No. 648 of 2016 registered for the offence
punishable under Sections 468, 471, 467, 420 and 120B/34 of the
Indian Penal Code.

The prosecution case, as lodged by the Vigilance
Investigation Bureau, is that in pursuance to the order passed by
this Court in C.W.J.C. No. 15459 of 2014, appointment of a large
number of Assistant Teachers made by the Panchayats has been
directed to be enquired by the Vigilance Investigation Bureau.
During course of enquiry, it was found that the petitioner, who



was appointed as Assistant Teacher in Khagaria Block in the year 2006, had submitted incorrect marks-sheet and made interpolation in the merit-list, as he had secured 47% in the Board examination, but the same was interpolated as 79.2%, as such, the petitioner was made accused and is languishing in judicial custody since 08.06.2017.

It has been submitted by the learned counsel for the petitioner that he is innocent and that petitioner was earlier removed from the post of Assistant Teacher against which he had filed Complaint Case No. 01 of 2012 before the District Teachers Employment Authority, Khagaria challenging the said removal, but without any relief. Thereafter, he moved this Court in writ, bearing C.W.J.C. No. 20063 of 2012 wherein interim order was passed. Another Assistant Teacher, Alok Kumar filed writ application bearing C.W.J.C. No. 17240 of 2012, which was disposed of by a coordinate Bench of this Court on 04.07.2013 whereby the entire selection was cancelled and a direction was issued to undergo fresh selection. It is submitted that thereafter on 22.07.2013, petitioner was again selected and in the merit-list his marks have been shown to be 47% in intermediate. He submits that interpolation in the merit-list was not at his instance but at the instance of the officials and he was nowhere at



fault and has been falsely implicated.

However, learned counsel for the Vigilance Investigation Bureau opposes the prayer for bail stating therein that the matter is still under investigation in regard to the entire appointments in view of this Court's order passed in the writ application, but in the case of the petitioner, charge-sheet has already been submitted.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Khagaria (Gangaur) P.S. Case No. 648 of 2016, subject to the condition that petitioner will cooperate during trial and appear before the Vigilance Investigation Bureau/ Court, as and when required.

(Nilu Agrawal, J.)

Arjun/-

U		T	
---	--	---	--

