

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10879 of 2018

Arising Out of PS.Case No. -20 Year- 2016 Thana -BARGANIA District- SITAMARHI

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1. Iqbal Hussain @ Ekwai Hussain,
2. Shahnawaz Ahmad @ Shanawaj Ahmad,
Both son of Merajul Haque, Resident of Village- Mahuava, PO- Fulwaria,
PS- Dhaka, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar through Police Inspector, Vigilance Investigation
Bureau, Muzaffarpur Camp, Sitamarhi

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Anita Kumari, Advocate.

For the Opposite Party/s : Mr. Shyameshwar Dayal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 04-04-2018

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Barganiya P.S.**

Case No. 20 of 2016 instituted for the offence under Sections 409, 467,
468, 471 and 120B of the Indian Penal Code.

It is alleged in the written report that petitioners got
appointment as contract teachers on the basis of forged experience
certificate. In the enquiry report which is part of the First Information
Report, it is mentioned that no evidence was found with respect to the
issuance of experience certificate in favour of this petitioner in the
office.

The petitioners have mentioned in paragraphs-9 and 10 of
the bail petition that they have already been removed from service.

Considering the facts and circumstances of the case,



prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Bairganiya P.S. Case No. 20 of 2016**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned **Additional Chief Judicial Magistrate, Sitamarhi**, subject to the conditions as laid down under Section 438 (2) 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 their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bond 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.

However, the department would be at liberty to take appropriate steps against the petitioners for recovery of the amount if so advised for the period they have worked on the basis of forged certificate.

(Sanjay Priya, J)

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