

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51783 of 2017

Arising Out of PS.Case No. -64 Year- 2017 Thana -BALTHAR District-
WESTCHAMPARAN(BETTIAH)

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1. Sunil Kumar Tiwari Son of Dattatrey Nath Tiwari, Resident of Village-
Pakarihar Tikulia, Police Station-Chanpatiya, District-West Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Sri Sanjay Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 11-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Balthar P.S. Case No. 64 of 2017 instituted for the offence under Sections-419, 420, 467, 468 and 471 of the Indian Penal Code.

It is alleged in the written report that this petitioner was appointed as untrained teacher on the basis of mark sheet of CTET in the Government Primary School, Sukhpur, Sikta circle and he was performing his job. It is alleged that vide letter No. 2136 dated 29-07-2016 issued by District Programme Officer (Establishment) West Champaran, Bettiah, the CTET mark sheet of petitioner was held as forged one and accordingly, he was terminated from his service and an order has been issued to lodge an F.I.R.

Counsel for the petitioner has pointed out that after appointment of petitioner as untrained teacher, the CTET mark sheet was verified and it was found correct and only thereafter, salary of the petitioner was paid.

Counsel for the petitioner has enclosed Annexures-4 & 5 in



support of such statement whereby the CTET mark sheet of the petitioner was found to be correct. The last report is of Assistant Secretary, CBSE, New Delhi vide letter No. 82 dated 22-01-2015.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of his 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 Balhar P.S. Case No. 64 of 2017 to the satisfaction of learned Chief Judicial Magistrate, West Champaran, Bettiah 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) petitioner 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 liable to cancel bail bond of the petitioner and (3) if petitioner tampers 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 petitioner.

(Sanjay Priya, J)

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