

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.11107 of 2018**

Arising Out of PS.Case No. -644 Year- 2017 Thana -BODHGAYA District- GAYA

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1. Devanand Singh S/o Dasrath Singh, R/o Village- Mankashi, P.S.- Bodh -  
Gaya, District- Gaya.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Vipin Kumar

For the Opposite Party/s : Mr. Sri Mukeshwar Dayal

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

6      18-05-2018      Heard the parties.

The petitioner is apprehending his arrest in connection with Bodh Gaya P.S.Case no.644 of 2017 , registered for offences punishable under Sections 420, 409, 467, 468, 471 and 120(B) of the Indian Penal Code.

Allegation against the petitioner is to appear in matriculation examination twice by changing name and date of birth.

Submission of the learned counsel for the petitioner is that the matter starts with appointment of petitioner as a teacher, which was challenged by one Chandan Kumar and after enquiry by the D.M., which was decided in favour of the petitioner, he was appointed and later on the present case has been filed at the



instance of Chandan Kumar that he has appeared twice in the examination by changing date of birth, on the basis of the same, petitioner was removed from service which challenged before the Hon'ble Court vide C.W.J.C. No.13087 of 2017 and this Hon'ble Court has quashed the order and an opportunity was given to the Board to reexamine the matter and pass an appropriate order.

Further submission is that during fresh enquiry, the petitioner has prayed for supply of some documents but the same has not been supplied and the earlier order was affirmed without making proper enquiry.

Heard learned A.P.P. and the learned counsel for the B.S.E.B. They have opposed the prayer for bail stating that in enquiry allegation was found true.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Gaya in connection with Bodh Gaya P.S.Case No.644 of 2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.



With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid direction, this application is allowed.

**(Vinod Kumar Sinha, J)**

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