

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63249 of 2017

Arising Out of PS.Case No. -99 Year- 2016 Thana -SAHAR District- BHOJPUR

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Vimal Kumar Vishwakarma, aged about 35 years, Son of Krishna Vishwakarma, Resident of Village- Narayanpur, P.S.- Narayanpur, District- Bhojpur (Ara).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suraj Narain Yadav

For the Opposite Party/s : Mr. Shyameshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-01-2018 Heard the learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks anticipatory bail in connection with Sahar PS case no. 99 of 2016 registered for the offences punishable under Sections 409, 420, 467, 468 and 471 of the Indian Penal Code.

The case of the prosecution, according to the written complaint of the Block Development Officer, Sahar, Bhojpur is that the petitioner herein, working as an Incharge Headmaster of the Middle School, Muslim Tola, along with other accused persons, forged the list of the appointed teachers and forged the signature of the Block Development Officer as well as had sent the same to the office of the District Project Officer (Establishment),



Bhojpur showing fake teachers to be the actual teachers working at the said place.

The learned counsel for the petitioner has submitted that the petitioner had been transferred from the said school at Muslim Tola on 15. 7. 2014 and he had joined the new place i.e. the Middle school at Khaira on 01.08.2014 whereas the allegations regarding payments of salary to the teachers pertain to the year 2015. It is further submitted that the Branch Manager of the Bank has written a letter stating that the salary of the alleged forged teachers has been stopped. It is further submitted that the petitioner has got no role to play since he was never posted as Incharge Headmaster and he himself had filed a representation before the Block Development Officer to send alleged forged signature to the F.S.L. for verification since it is his contention that even his signature has been forged. It is further submitted that the petitioner has a clean antecedent.

Having regard to the facts and circumstances of the case, more particularly the fact that the petitioner was not posted as Incharge Headmaster at the alleged place of occurrence at Muslim Tola, coupled with the fact that the written report of the Block Development Officer on the basis of which the F.I.R. has been lodged, does not show that any illegal salary has been paid to the



incumbents, who are said to be the fake teacher, I deem it fit and proper to enlarge the petitioner on anticipatory bail.

Accordingly, in the event of arrest or surrender within six weeks before the concerned court, the petitioner above named is directed to be released on anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-X, Bhojpur (Ara) in connection with Sahar PS case no. 99 of 2016, subject to the conditions laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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