

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4790 of 2018

Arising Out of PS.Case No. -177 Year- 2017 Thana -JAMUI District- JAMUI

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1. Manoj Kumar Saw, Son of Kamal Sav, a resident of Village- Navinagar,
P.S.- Manjhwe, District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajni Kant Jha

For the Opposite Party/s : Mr. Sri Nityanand Tiwary

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 05-02-2018

Heard the learned counsels for the parties.

The petitioner seeks bail in anticipation of his arrest in connection with Jamui P.S. Case No. 177/2017 dated 08.06.2017 instituted for the offences under Sections 420, 467, 468, 471 and 120(B) of the Indian Penal Code.

Pursuant to the orders of this Court, a vigilance enquiry was conducted into the illegality in the appointment of teachers in the year 2006. With respect to the petitioner, it has been alleged that he had submitted a certificate of training issued by TFL Minority Primary School, Mahamadpur 'Mahesh' which is a non-existing organization.

Hence, the F.I.R. against the petitioner and others.

Learned counsel for the petitioner has drawn the



attention of this Court to the fact that in his application submitted for his appointment, he had clearly stated that he had completed two years training of Teachers from B.U. campus, Jhansi in the year 2005 and had secured 66.9% marks. Along with the application of the petitioner, a certificate of TFL Minority Primary Teachers Training College, Mahamadpur 'Mahesh', Bhagalpur surprisingly is found to be annexed.

Learned counsel for the petitioner has submitted that there are definitely some irregularities in launching prosecution against the petitioner, in as much as the certificates which were annexed with the application forms of the candidates were required to be self-attested. In the F.I.R., the documents, on which the petitioner is sought to be prosecuted, is not self-attested. It has further been submitted that the petitioner got his appointment as a Teacher because of his being properly qualified. For being appointed as a contract teacher, he has obtained his degree from Bundelkhand University and not from the T.F.L. Minority Primary Teachers Training College, as alleged.

Considering the aforesaid facts, the petitioner above named is directed to be released on bail, in the event of his surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his



furnishing bond in the sum of Rs. 10,000/- (Ten Thousand), with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jamui in connection with Jamui P.S. Case No. 177/2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J.)

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