

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12592 of 2019

Arising Out of PS. Case No.-139 Year-2018 Thana- IMAMGANJ District- Gaya

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DWARIKA PRASAD S/o Late Baldeo Prasad R/o Village- Belghoghar, P.S-
Barachatti, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh

For the Opposite Party/s : Mr.Ajay Mishra

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 20-09-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Imamganj Police Station Case No. 139 of 2018,
disclosing offences under Sections 420, 467, 468, 471, 196, 197,
198, 199, 201 and 120-B of the Indian Penal Code.

The allegation against the petitioner, as per the First
Information Report, is that in the vigilance enquiry, it was found
that Ranjana Kumari and Reena Kumari were appointed as
Panchayat Teachers on the basis of forged certificates of
matriculation and the petitioner was posted as Panchayat
Secretary of Nagwa Gram Panchayat (Imamganj block) at the
relevant point of time.

Learned Counsel for the petitioner submits that the



petitioner has falsely been implicated in this case inasmuch as the petitioner was not the appointing authority and the teachers were being appointed by the Selection Committee, headed by the Mukhiya of the Gram Panchayat. He further submits that the petitioner was merely a Panchayat Secretary, who issued the appointment letters in pursuance of the selection being made by the Selection Committee. He next submits that co-accused Ranjan Kumari and Reena Kumari, who were appointed on the basis of forged documents, have been granted anticipatory bail by this Court by order, dated 18.04.2019, passed in Criminal Misc. No. 24821 of 2019.

On the other hand, learned Additional Public Prosecutor vehemently opposes the prayer for anticipatory bail and submits that the petitioner was one of the members of the Selection Committee and as such his involvement may not be ruled out.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner was the Panchayat Secretary and the persons, who were appointed on the basis of forged certificates were granted anticipatory bail by this Court, I am inclined to grant the petitioner privilege of anticipatory bail.



This application is, accordingly, allowed.

Let the petitioner, Dwarika Prasad, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Sherghati, Gaya, in connection with Imamganj Police Station Case No. 139 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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