

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11085 of 2019

Arising Out of PS. Case No.-354 Year-2018 Thana- MAKHDUMPUR District- Jehanabad

Bindi Thakur @ Bundi Thakur, aged about 36 years (male), Son of Sri Dhanushdhari Thakur, Resident of Village - Saren, P.S.- Makhdumpur, District - Jehanabad

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Murari Prasad Sinha, Advocate
For the Opposite Party : Mr.Ajay Mishra, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 25-02-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 420, 467, 468, 471, 196, 197, 198, 201 and 120(B) of the Indian Penal Code registered in connection with Makhdumpur P.S. Case No. 354 of 2018.

3. It is submitted that the petitioner has been falsely implicated merely because he happened to be the Pramukh and signed the merit list in terms of which one Rakesh Kumar impersonating as Neraj Verma obtained employment in the Government Middle School, Bira, Madkhdumpur and for which said Rakesh Kumar has drawn salary from May, 2013 to July, 2017. It is submitted that the petitioner had no role to play in the verification and scrutiny of the application forms which falls within the responsibility of the Block Education Officer-cum-Secretary of the Selection Committee. The petitioner neither filled in the application forms in the name of Neeraj Verma nor submitted the forged documents nor made any interpolation with an intention to extend undue benefit to him nor the beneficiary of such fraud. The petitioner



claims clean antecedents.

4. Learned APP opposes the anticipatory bail petition and has been heard.

5. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Jehanabad in connection with Makhdumpur P.S. Case No. 354 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

BT/-

(Vikash Jain, J)

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