

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32211 of 2019**

Arising Out of PS. Case No.-175 Year-2018 Thana- PANAPUR District-
Saran

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SITA RAM DAS S/o Late Sabhu Ram Village- Hansapur, P.O.- Masrakh
(Masrakh), P.S.- Masrakh, District- Saran, Bihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Binoy Kumar Sinha 1, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 09-08-2019

Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 419, 420, 409, 461, 468, 471 and 120(B)
of the Indian Penal Code registered in connection with Panapur
P.S. Case No. 175 of 2018.

3. It is submitted that the petitioner has been falsely
implicated merely because he happens to be the Panchayat
Secretary of the Totahan Jagatpur Panchayat on the accusation
that Bikash Kumar Singh was appointed at Panchayat Teacher on
basis of forged certificate and marksheet of Bihar School
Examination Board. It is submitted that the petitioner was only
responsible for receiving the application from the concerned
candidates for purposes of enquiry in examination by the
concerned District Programme Officer and District Education
Officer. It is submitted that such document has duly been sent for
examination in the year 2012 itself but no report has been
received thereafter. The aforesaid Panchayat Teacher has been



granted anticipatory bail by this Court in Cr. Misc. No. 19775 of 2019. The petitioner claims clean antecedents.

4. 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 Additional Chief Judicial Magistrate-IV, Saran at Chapra in connection with Panapur P.S. Case No. 175 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following 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 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.

(iv) 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.

(Vikash Jain, J)

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