

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24100 of 2019

Arising Out of PS. Case No.-59 Year-2018 Thana- KURTHA District- Jehanabad

DEEPAK KUMAR Son of Om Prakash Mahto Resident of Village-Musepur,
P.S and District-Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Paras Nath

For the Opposite Party/s : Mr.Ajay Mishra

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 15-04-2019 Heard learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks bail in connection with Kurtha
P.S. Case No. 59 of 2018 instituted for the offence under
Section(s) 419/420/467/468/471/120(B) of the Indian Penal
Code.

Allegation against this petitioner is that he was
working as Panchayat Teacher at Primary School, Alawalpur in
Kodmarai panchayat under Kurtha Block, Dist. Arwal. It is
further alleged that another person, namely, Prem Prakash, is
also working as a Panchayat Teacher at Upgraded Middle
School, Hajipur under Karpi Block Dist. Arwal. Both teachers
are working on a common mark-sheet and academic certificate
under two different Blocks. It is further alleged that Bihar
Board issued verified list of TET passed candidates, wherein,



the roll number of both persons are found to be similar and thereafter report was called for from the Block Education Officer of both the blocks to verify the facts and it was reported that both persons are still working and on this information Prem Prakash was called in Vigilance office, Arwal through Block Education Officer, Arwal, Kurtha and Karpi for verification of certificates. It is further alleged that one Prem Prakash who was earlier working in Utkramit Middle School Hazipur, now working in Utkramit Middle School, Nadikhurd appeared with original certificates and claimed himself to be original Prem Prakash whereas another Prem Prakash working in Primary School, Alawalpur did not appear even after receiving the information. This created doubt about his identity. Again, he was informed through the Principal to appear, but his mobile was switched off.

It is alleged in the written report that petitioner got appointment on the basis of forged certificate in connivance with the then Mukhiya and Panchayat Secretary who were also named in the written report.

Learned counsel for petitioner submits that Panchayat Secretary and Mukhiya who have issued the appointment letter to the petitioner have already been granted anticipatory bail by



Co-ordinate Bench of this Court vide orders passed in Criminal Miscellaneous Nos. 38786 of 2018 and 37254 of 2018. Learned counsel further submits that petitioner has applied for appointment as Panchayat Teacher. Panchayat Secretary and Mukhiya had given him appointment in the name of Prem Prakash and he joined the post because he was unemployed person without verifying the factual aspect of the matter. He further submits that he learnt about his forged appointment made in connivance with Panchayat Secretary and Mukhiya and thereafter he resigned from the service.

Petitioner is in custody since 21.01.2019 having clean antecedent.

Considering the aforesaid, let the petitioner, above named, 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 the learned Munsif, Arwal in connection with Kurtha P.S. Case No. 59 of 2018, subject to the condition that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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