

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26081 of 2019

Arising Out of PS. Case No.-89 Year-2019 Thana- HAJIPUR District- Vaishali

PANKAJ PRASAD, Male, aged about 28 years, Son of Sri Dhaneshwar Prasad Resident of Village - Bagahan, P.s.- Basantpur, Dist.- Siwan
... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Navjot Yesu, Adv.
For the Opposite Party : Mr. Mohammed Arif, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 09-05-2019 Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

The petitioner is languishing in judicial custody since 29.01.2019 in connection with Hajipur Town P.S. Case No. 89 of 2019 for the offences alleged under Sections 467, 468 and 420 of the Indian Penal Code.

The prosecution case, as lodged by the Programme Director of the Agriculture Industrial Management Authority, Vaishali, is that the petitioner whose candidature was verified for the vacant post of Technical Manager on contract basis to be conducted during the selection at Vaishali Collectorate, it was found that the certificate of passing B.Sc. Agriculture from Deen Dayal Upadhyaya Gorakhpur University was found to be false and forged one, which was conceded by the petitioner.

It has been submitted by the learned counsel for the



petitioner that he is innocent that he had just passed his B.Sc. Examination and has been falsely implicated in the aforesaid case. He submits that neither the post had yet been offered to the petitioner and he was not selected nor worked on the post of Technical Manager. He, further, submits that he bears no criminal antecedent and has been falsely implicated on suspicion.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the nature of allegations, the materials on record and the period of custody coupled with the fact that the petitioner does not bear any criminal antecedent, as stated in paragraph 3 of the present application, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Hajipur Town P.S. Case No. 89 of 2019 to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur, or the successor Court, subject to the following conditions :

(i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.



(ii) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned Court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

Shamshad/-

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