

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.30387 of 2019**

Arising Out of PS. Case No.-248 Year-2018 Thana- BUXAR INDUSTRIAL District- Buxar

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1. Rajendra Kumar Son of Panna Lal Keshari Resident of Village - Ahirauli,  
P.S.- Industrial Area Buxar, District- Buxar
2. Ran Vijay Kumar Choubey Son of Ashok Kumar Choubey Resident of  
Village - Ahirauli, P.S.- Industrial Area Buxar, District- Buxar
3. Raj Kumar Azad Son of Shivnandan Prasad Resident of Village - Ahirauli,  
P.S.- Industrial Area Buxar, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ajay Kumar Thakur, Advocate.  
Mr. Nilesh Kumar, Advocate.  
Ms. Babita Kumari, Advocate.  
Shashank Shekhar, Advocate.  
Swati Sinha, Advocate.

For the Opposite Party/s : Mr.Ajay Mishra, APP.

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA  
JAISWAL**

ORAL ORDER

2      09-05-2019                      Heard learned counsel for the petitioners, learned  
counsel for the Vigilance and the learned A.P.P. for the State.

The petitioners apprehend their arrest in a case  
registered for the offence punishable under Sections 109, 193,  
203, 205, 219, 419, 420, 467, 468, 471 & 120-B of the Indian  
Penal Code.



Petitioners along with other accused persons including Bibha Kumari are said to have joined as Panchayat Shiksha Mitra in Middle School, Ahirauli and the Headmaster of the aforesaid School, namely, Baban Pandey, who happens to be father-in-law of Bibha Kumari, manufactured a forged register showing the aforesaid Bibha Kumari, petitioners and others continuing on duty after cut off date i.e. after 30.06.2006 to facilitate their absorption as Panchayat Shikshak in the said School. Subsequently, during the course of hearing of the writ petition filed by the said Bibha Kumari, the matter was detected and this Court directed for extensive enquiry in the matter and on enquiry the aforesaid register was found to be forged and manipulated.

Learned counsel for the petitioners submitted that no such occurrence as alleged ever took place. The petitioners are quite innocent and have been falsely implicated in this case. Though their signature is on the aforesaid register but they have not put their signature on it out of their sweet will to take benefit of the same rather under pressure of the Headmaster of the School. They had also filed the writ petition on the basis of earlier register and not on the second one and as they were not found continued the service of Shiksha Mitra after the cut of



period, they have lost the case and they have not taken the benefit of the aforesaid second register. They have no role in the aforesaid occurrence. Petitioners have no criminal antecedent. Headmaster of the School namely Baban Pandey and said Bibha Kumari have been enlarged on bail by different coordinate Benches of this Court in Cr. Misc. Nos. 9890 of 2019 and 21604 of 2019 vide order dated 20.02.2019 and 12.04.2019 respectively.

On the other hand, learned counsel for the Vigilance opposing the bail petition submitted that the aforesaid second forged register prepared by the Headmaster of the School also bears the signature of the petitioners which indicates the complicity of the petitioners in the occurrence. Hence, the petitioners do not deserve bail.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Buxar in connection with Audyogik Kshetra (Industrial Area) P.S. Case No. 248 of 2018, subject to the condition as laid down



under Section 438 (2) of the Cr.P.C.

**(Prakash Chandra Jaiswal, J)**

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