

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40471 of 2019**

Arising Out of PS. Case No.-245 Year-2017 Thana- JHAJHA District- Jamui
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RUPESH KUMAR, male, aged about 32 years, Son of Pramod Kumar
Choudhary Resident of Village - Gopalpur, P.S. - Amarpur, District- Banka

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Pankaj Kumar Sinha, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 03-07-2019

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, 468, 471, 120B of the Indian Penal
Code registered in connection with Jhajha P.S. Case No. 245 of
2017, G.R. No. 1727 of 2017.

3. It is submitted that the petitioner has been falsely
implicated on the accusation that he has got employment as
Niyojit Teacher on the basis of forged certificate, which on
verification by the authorities was found not to have been issued
by S.K.M. University, Dumka. A statement is made at the Bar that
the petitioner has since been dismissed from service. 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 Sub-Divisional Judicial Magistrate,



Jamui in connection with Jhajha P.S. Case No. 245 of 2017, G.R. No. 1727 of 2017. 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.

5. The State shall be at liberty to take steps for recovery of the salary already drawn by the petitioner during his employment as Niyojit Teacher.

(Vikash Jain, J)

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