

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37751 of 2019

Arising Out of PS. Case No.-845 Year-2017 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Shyam Prasad Sharma, aged about 46 years (M), Son of Arjun Sharma
Resident of Village- Godiyasi, P.O.- Panchrukhi, P.S.- Kotwali, District-
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar Through Dy. S. P. Vigilance, Bihar, Patna Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shadanand Mishra, Adv.

For the Opposite Party/s : Mr. Anjani Kumar, Sr. Adv.

Mr. Sanjay Prasad, AC

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

2 21-06-2019 Heard learned counsel for the petitioner and learned
counsel for the Vigilance.

In this case, the petitioner is apprehending his
arrest in connection with Kotwali (Jogsar) P.S. Case No. 845 of
2017 registered for offences under sections 409, 420, 467, 468,
471, 120B of the Indian Penal Code.

As per First Information Report, the petitioner has
obtained the service of Teacher on the basis of B.Ed. Document,
on verification, the University informed that no such entry is
there in the name of the petitioner who is insisting to have
passed the B.Ed. Examination.

Learned counsel for the petitioner has drawn



attention of this Court towards the mark-sheet, college leaving certificate as also provisional certificate which were handed over to the petitioner by the University to the college. He further submits that the information furnished by the University is completely wrong and submits that the petitioner has successfully completed his course by appearing in the examination and passed the examination.

Looking to the statement made at Bar including documents which have been attached in the present application, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, 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 learned Chief Judicial Magistrate, Bhagalpur in connection with Kotwali (Jogsar) P.S. Case No. 845 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioner for investigation/interrogation, he will remain present and if he would not present himself, the privilege of grant of anticipatory bail shall be deemed to have been canceled.

It is made clear that the present anticipatory bail is



being granted to the petitioner only up to the stage of submission of charge-sheet. In the event, the charge-sheet is filed against the petitioner, he will have to surrender before the court below and seek regular bail.

(Shivaji Pandey, J)

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