

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74652 of 2018

Arising Out of PS. Case No.-209 Year-2018 Thana- BIBHUTIPUR District- Samastipur

Shashi Bhushan Mahto Son of Ram Charitra Mahto, Resident of Village- Tara
Phaphot, P.S.- Khodawandpur, District- Begusarai.

... .. Petitioner/s

Versus

1. State Of Bihar
2. The State of Bihar through Vigilance.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha
For the Opposite Party/s : Mr.Madhuranand Jha

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 12-03-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Section 420, 467, 468, 471, 120(B) IPC registered in
connection with Bibhutipur P.S. Case No. 209 of 2018.

3. It is submitted that the petitioner has been falsely
implicated on the accusation that he has got employment as
Block Teacher on the basis of forged certificate and marksheet of
Bihar School Examination Board, which on verification by the
authorities was found not to have been issued by the Bihar
School Examination Board, Patna. A statement is made at the Bar
that the petitioner has since been dismissed from service. The
petitioner claims clean antecedents.

4. Learned counsel for the Vigilance Department appears
and has been heard.

5. Be that it may, in the event of petitioner's arrest or surrender
within four weeks hereof let the above named petitioner be



released on provisional anticipatory bail on furnishing bail bond of Rs.10,000/- [ten thousand] with two sureties of like amount each to the satisfaction of learned ACJM Ist, Rosera, Samastipur in connection with Bibhutipur P.S. Case No. 209 of 2018 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 co-operate 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) 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.

6. The provisional bail shall be confirmed upon verification that the petitioner has been dismissed from service.

7. The authorities shall be at liberty to take steps for recovery of the salary already drawn by the petitioner during his employment as Block Teacher.

(Vikash Jain, J)

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