

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78040 of 2018

Arising Out of PS. Case No.-452 Year-2018 Thana- KOTWALI District- Patna

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Vijay Kumar Tiwary S/o Jaideo Tiwary , R/o Sunil Enclave, Flat No. G/2,
P.S.- Rupaspur (Danapur), District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Secretary , Bihar School Examination, Board , Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	M/s. A. K. Thakur, Pravin Kumar, Swati Sinha, Advocates
For the Opposite Party/s :		Mr. Ajay Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 07-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Kotwali P.S. Case No. 452 of
2018 registered for the offence punishable under Sections 417,
418, 419, 420, 466, 467, 468, 471 and 120-B of the Indian Penal
Code.

Allegation is of forgery committed in mark-sheet
register and computer data base of B.E.T.E.T., 2011, by the
employees of Bihar School Examination Board, to give benefit
to some other candidates fraudulently.

It has been submitted on behalf of the petitioner that he
is innocent and has been falsely implicated in this case. It has
been submitted that name of the petitioner has surfaced in this



case on the confessional statement made by the co-accused Amit Kumar Singh and except the said confessional statement, there is no any other incriminating material against the petitioner. It has further been submitted that the petitioner is not an employee of the Bihar School Examination Board, and, as such, no forgery was committed by him. Petitioner has no criminal antecedent and he is in custody since 29.08.2018. Similarly placed co-accused has already been granted bail as contained in Annexure-2 series.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Patna, in connection with Kotwali P.S. Case No. 452 of 2018, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case,



prosecution will be at liberty to move for cancellation of
bail of the petitioner.

(S. Kumar, J)

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