

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57016 of 2019

Arising Out of PS. Case No.-136 Year-2017 Thana- AMAS District- Gaya

Lakshman Paswan, Aged about 44 years, Male, Son of Nageshwar Paswan,
Resident of Village Rampur Amas, Police Station Amas, District Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Vigilance Department through its Superintendent of Police, Bihar, Patna .

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2
For the Opposite Party/s : Mr.Ajay Mishra

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 16-09-2019 Heard both sides.

The petitioner apprehends his arrest in Amas P.S. Case No.136 of 2017, registered under Sections 409, 420, 467, 468 and 471 of the Indian Penal Code.

The gist of the allegation is that the wife of the petitioner on the basis of forged and fabricated mark sheet of Up-Shastri (Inter) got appointment on the post of Teacher in Panchayat Karamdih.

The learned counsel for the petitioner submits that the petitioner is not named in the FIR. Mukhiya and Sarpanch were also made accused in the case but later on, on the basis of the fact that the petitioner is alleged to have obtained forged certificate to get his wife appointed on the post of Teacher, petitioner has also been made accused. It is further submitted that the wife of the petitioner has already been granted anticipatory bail.



Mr. Ajay Mishra, the learned counsel for the Vigilance submits that it was the petitioner who is said to have obtained the forged certificate for appointment of his wife.

It appears that the petitioner is not named in the FIR. Name of the petitioner surfaced in the case during the course of investigation on the allegation that the petitioner got the certificate for his wife which later on transpired to be forged but there is no such material on record that the petitioner got forged certificate for his wife. The wife has already been granted anticipatory bail on the ground that she was terminated from service.

Taking into consideration the facts aforesaid, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Sherghatti, Gaya in connection with Amas P.S. Case No.136 of 2017, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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