

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51957 of 2018

Arising Out of PS. Case No.-163 Year-2017 Thana- BAKHTIARPUR District- Saharsa

Sagar Kumar, S/o Dev Narayan Choudhary, Resident of Village-Hatiyagachhi, P.S. Saharsa Sadar District Saharsa. At Present, Prathmik Vidlaya, Katho, Block Simri Bakhtiyarpur, P.S. Simri Bakhtiyarpur (Balwa Hat) District Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar Choudhary
For the Opposite Party/s : Mr. Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 02-01-2019 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 420, 467, 468, 471 and 120B of the IPC.

It is alleged against the petitioner that the petitioner was appointed as teacher in the primary school on the basis of forged Madhyama Certificate. The certificate was transmitted to the Bihar Sanskrit Education Board where it is found that the Roll No. and Roll code was of one Shivani Kumari who has secured 268 marks and was placed in third division, but the forged certificate submitted by the petitioner reflects that he had secured 381 marks and was placed in second division.

It is submitted by learned counsel for the petitioner that the



petitioner was appointed on the basis of Intermediate certificate and the Intermediate certificate had not been verified till date. Moreover, statement has been made in paragraph 19 of the petition that the petitioner is still working on the same post in the school in question.

Learned APP after going through the case diary submits that the certificate in question was verified from the Bihar Sanskrit Education Board, and the same was found to be forged. However, learned APP has not controverted the fact that the statement made in paragraph no. 8 of the petition that the petitioner was appointed on the basis of Intermediate certificate. A Statement has been made in paragraph no. 3 of the petition that the petitioner is not having any criminal antecedent.

Considering the above contention of the learned counsel for the petitioner, keeping in view that a statement made in paragraph no. 19 of the petition that the petitioner has not been terminated till date and the investigation has not been concluded, let the above named petitioner be released on anticipatory bail, till the conclusion of investigation, in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount



each to the satisfaction of learned **C.J.M., Saharsa** in
connection with **Simri Bakhtiyarpur (Balwa Hat O.P.) P.S.**
Case No. 163 of 2017 subject to the condition as laid down
under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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