

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75464 of 2019

Arising Out of PS. Case No.-51 Year-2018 Thana- DUMARIYA District- Gaya

NIRAJ KUMAR, Son of Rajendra Prasad, Resident of Village - Bikopur, P.S.-
Kothi, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 09-12-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 420, 467, 468, 471, 196, 197, 198, 199, 201 and 120B of the Indian Penal Code.

Allegation is that the petitioner was appointed as Panchayat Teacher by producing fake credentials.

Submission is that it is disputed question of fact which is yet to be established whether the credential produced by the petitioner is fake or not. Some other co-accused have been allowed anticipatory bail in identical matters by a Coordinate Bench of this Court. Petitioner has got no criminal antecedent.

Learned counsel for the State opposed the prayer for anticipatory bail on the ground that co-accused Sabita Kumari was



allowed anticipatory bail by a Coordinate Bench of this Court vide order dated 20.06.2019 passed in Cr. Misc. No. 17285 of 2019, considering the fact that she was a female and there is special provision for the females under the law for consideration of bail under Section 438 Cr.P.C.

Considering the disputed fact whether the credential produced by the petitioner was fake one and who was responsible for that forgery, let the petitioner above named in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Sherghati, Gaya in connection with Dumaria Police Station Case No. 51 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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