

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58009 of 2019

Arising Out of PS. Case No.-151 Year-2019 Thana- KAUWAKOL District- Nawada

DEO GIRI YADAV Son of Late Chandeshwar Yadav Resident of Village -
Lodipur Tola- Kanhil, P.S.- Bela Ganj, Dist.- Gaya.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. The Vigilance Investigation Bureau Bihar, Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajendra Narayan, Sr. Advocate Mr. Sunil Kumar Yadav, Advocate
For the Respondents	:	Mr. Ajay Mishra, Advocate Mr. Anjani Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

6 02-12-2019 Heard the learned counsel for the petitioner and the learned
A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Kauwakol P.S. Case No. 151 of 2016 registered for the offence punishable under Sections 420, 467, 468, 471 and 120B of the Indian Penal Code.

The allegation is regarding the petitioner having submitted forged certificates pertaining to his educational qualifications for obtaining job of a Block Teacher, Kauwakol, thus it is alleged that the petitioner has indulged in committing forgery for the purposes of obtaining illegal appointment.



The learned Senior Counsel for the petitioner has submitted that the educational certificates of the petitioner are genuine and he had submitted genuine certificate before the authorities concerned. It is further submitted that the petitioner is having a clean antecedent and he is still continuing in his job as a Block Teacher, hence, the State authorities have not found the petitioner to have forged the educational certificates.

Per contra, the learned counsel for the Vigilance has referred to the counter affidavit filed in the present case wherein a letter dated 17.5.2019 has been annexed which has been addressed by the Examination Controller, Magadh University, Bodh Gaya to the District Programme Officer, Establishment, Nawada and it has been stated that the mark-sheet of the intermediate (Arts) examination of the petitioner herein, held in the month of April, 1982, is not tallying. Thus, it is submitted that the petitioner has submitted forged mark-sheet for the purposes of obtaining illegal appointment.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the 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/production of a copy of this order, on anticipatory bail



on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, 1st Nawada in connection with Kauwakol P.S. Case No. 151 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It is needless to state that the petitioner shall join investigation and he shall be present at the place where he is directed to appear by the investigating agency and in case, he does not cooperate with the investigation, the prosecution/ vigilance would be free to approach this Court for cancellation of anticipatory bail being extended to the petitioner herein.

(Mohit Kumar Shah, J)

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