

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60374 of 2019

Arising Out of PS. Case No.-174 Year-2018 Thana- ISUAPUR District- Saran

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AWDHESH KUMAR SINGH @ AWBHESH KUMAR SINGH Son of Late
Dharmanath Singh Resident of Village - Siswa, P.S.- Isuapur, Dist.- Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Roy

For the Opposite Party/s : Mr.Ajay Mishra

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 26-09-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Section 419, 420, 409, 467,468, 471, 120(B) IPC registered in connection with Isuapur P.S. Case No. 174 of 2018.

3. It is submitted that the petitioner has been falsely implicated on the accusation that he has got employment as a Niyojit Teacher on the basis of forged certificate/mark sheet of Bihar School Examination Board, which on verification by the authorities was found not to have been issued by the Bihar School Examination Board, Patna. A statement is made at the Bar that the petitioner has since been dismissed from service. The petitioner claims clean antecedents.

4. Be that it may, in the event of petitioner's arrest or surrender within four weeks hereof let the above named petitioner be released on provisional bail on furnishing bail bond of Rs.10,000/- [ten thousand] with two sureties of like amount each to the satisfaction of learned SDJM, Saran at Chapra in connection with Isuapur P.S. Case No. 174 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C. and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.



(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(v) That the petitioner shall produce the order of dismissal before the learned Court below at the time of surrender.

5. The provisional bail granted to the petitioner shall be confirmed by the learned Court below upon verification within a further period of four weeks after furnishing bail bond that the petitioner has been dismissed from service, failing which his bail bond shall stand automatically cancelled.

6. The authorities shall be at liberty to take steps for recovery of the salary already drawn by the petitioner during his employment as Niyojit Teacher.

(Vikash Jain, J)

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