

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68334 of 2018

Arising Out of PS. Case No.-84 Year-2018 Thana- SINGHIYA District-
Samastipur

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Madan Thakur Son of Sri Ganesh Thakur, Resident of Village- Lilhaul,
Post- Lilhaul, P.S. Singhiya, District- Samastipur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Mrityunjay Kumar, Advocate.

For the Opposite Party: Mr. Ajay Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 18-01-2019

As prayed, learned counsel for the petitioner is permitted to correct the error in paragraph-1 of the petition as well as in the prayer portion by substituting the words "Additional Chief Judicial Magistrate, Rosera, District Samastipur" in place of "Chief Judicial Magistrate, Rosera, Samastipur" in course of the day.

2. Heard learned counsel for the petitioner and learned APP for the State.

3. The petitioner apprehends his arrest for the offences alleged under Sections 120B, 420, 467, 468, 471 of the Indian Penal Code registered in connection with Singhia P.S. Case No. 84 of 2018.

4. It is submitted that the petitioner has been falsely implicated on the accusation of having furnished forged certificate of Lok Shikshak for getting employment as Panchayat



Teacher. The Lok Shikshak certificate has been disbelieved merely because the same has not been shown as issued. However learned counsel for the petitioner invites reference to the extract from the issue register obtained under RTI to show that serial nos. 751 to 1424 are missing from the issue register. The petitioner had been selected and had worked as Lok Shikshak which has not been disputed. The petitioner claims clean antecedents.

5. Be that as it may, having regard to the entirety of the facts and circumstances of the case, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Rosera, District- Samastipur in connection with Singhia P.S. Case No. 84 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) The petitioner shall cooperate 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 learned Court below shall verify from the issue register that serial nos. 751 to 1424 are missing from the issue register as claimed by the petitioner.

(Vikash Jain, J)

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