

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72111 of 2018

Arising Out of PS. Case No.-209 Year-2018 Thana- BIBHUTIPUR District- Samastipur

Ramashish Singh S/o Tej Narayan Singh, resident of Village- Shivnathpur,
P.S. Bibhutipur, District- Samastipur, at present Panchayat Teacher, Primary
School, Bhushwar Das Tole, P.S.- Bibhutipur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Through Vigilance

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. N.K. Agrawal, Sr. Advocate.

Mr. Vijay Anand, Advocate.

For the Opposite Party : Mr. Sanjay Prasad, APP,

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 11-01-2019 Heard the learned counsel for the petitioner and
the State.

The petitioner seeks bail in anticipation of his arrest in connection with Bibhutipur P.S. Case No. 209 of 2018 dated 18.07.2018 instituted for the offences under Sections 420, 467, 468, 471 and 120B of the Indian Penal Code.

The petitioner is alleged to have obtained appointment as a Teacher on fake and forged certificate regarding his academic qualification. The aforesaid facts were unearthed only after an order passed in PIL petition before this Court which gave direction to the respondent authorities to enquire about the irregularities in the appointment process of teachers.



Mr. N.K. Agrawal, learned senior counsel for the petitioner has submitted that under similar circumstances many other teachers whose certificates were found to be forged have been granted anticipatory bail by a bench of this Court.

Mr. Sanjay Prasad, learned counsel for the Vigilance has stated that because of the submission of false/forged certificate, the petitioner obtained appointment.

Nonetheless, the situation today is that the petitioner has been removed from service and is facing criminal prosecution. No material has been brought out before this Court to justify any custodial interrogation of the petitioner as the investigation would primarily veer around finding out the process by which fake certificates were obtained and made use of for the purposes of appointment in Government job.

Considering the aforesaid facts and taking into account that similarly situated accused persons have been granted the privilege of anticipatory bail, the petitioner is directed to be released on bail, 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 his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two



sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Rosera Samastipur in connection with Bibhutipur P.S. Case No. 209 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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