

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10395 of 2020

Arising Out of PS. Case No.-521 Year-2019 Thana- KESARIA District- East Champaran

VIKASH ANAND Son of Vinod Kumar Upadhyay Resident of Muzaffarpur
Road Hospital Gate, Gandhi Maidan, Chakia, P.S.-Chakia, District-East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umakant Shukla, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 05-10-2020 Heard Mr. Umakant Shukla, learned counsel for the
petitioner and Mr. Shyameshwar Dayal, learned Additional
Public Prosecutor appearing for the State through video
conferencing.

Petitioner apprehends his arrest in connection with
Kesariya P.S. Case No. 521 of 2019 registered for the offence
punishable under Sections 467 / 468 / 471 / 420 of the I.P.C.

The allegation against the petitioner as per the First
Information Report is that the B.Ed. Certificate submitted by the
petitioner at the time of his appointment was found forged.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case inasmuch as
petitioner has completed his B.Sc., M.Sc. and B.Ed. Degrees



from Rajeev Gandhi University, Konu Hills, DOCMUKH, Arunachal Pradesh and he has submitted the documents of educational qualification issued by Rajeev Gandhi University, Konu Hills, DOCMUKH, Arunachal Pradesh at the time of his appointment, but the informant, who is the Headmaster of the school, with oblique motive, got the B.Ed. Certificate, allegedly belonging to the petitioner, issued by the State Council of Research and Training, Haryana, verified which was never submitted by the petitioner at the time of his appointment.

Learned counsel for the informant had argued in this case vehemently on last occasion and had placed various documents filed along with his counter affidavit in opposition of this petition and had submitted that all the documents annexed along with the counter affidavit will show the involvement of the petitioner in the present offence.

On the other hand, learned counsel for the State referring to the case diary submits that Annexure- 3 issued by District Education Officer, East Champaran, Motihari creates doubt on the prosecution story.

Having regard to the submissions made by the parties and taking into consideration the materials available on record, I am inclined to grant anticipatory bail to the petitioner.



Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioner, above named, shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-3 Motihari, East Champaran / court concerned in connection with Kesariya P.S. Case No. 521 of 2019 , subject to the condition as laid down under Section 438 (2) of the Code Of Criminal Procedure.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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