

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20612 of 2020

Arising Out of PS. Case No.-92 Year-2019 Thana- ANDHRATHARHI District- Madhubani

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DHARMENDRA KUMAR PASWAN Son of Nand Lal Paswan Resident of
Village/Mohallah- Rajanpura, P.S.- Andharatharhi, P.O.- Mailam, District-
Madhubani (Bihar).

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amar Nath Yadav

For the Opposite Party/s : Mr.Ajay Mishra

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-07-2020 The court proceeding has been conducted through
virtual mode.

Since, the physical court is not functional, due to
present pandemic Covid-19, the present application has been
listed with defects.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks of resumption of
functioning of the court in physical mode.

If the defects are not removed within the said period,
the office will again place the matter on board.

Heard Mr. Yogesh Chandra Verma, learned Sr.
Counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in a case



registered for the offences punishable under Sections 420, 467, 468, 471, 120B of the IPC.

The prosecution case, as per the written report of the Police Inspector, Vigilance Investigation Bureau, submitted to the Station House Officer, Andhratharhi Police Station is to the effect that in pursuance to the order passed in C.W.J.C. No. 15459 of 2014 (Ranjeet Pandit and Ors. Vs. the State of Bihar and Ors.), the Vigilance conducted an enquiry with regard to illegal appointment of the Panchayat Teachers, when it was found that the petitioner was appointed as a teacher on the basis of forged educational certificate and thereby he withdrew huge amount of public money.

Learned Sr. counsel for the petitioner submits that at the time of appointment, the certificates of the petitioner were verified. The petitioner was appointed in the year 2007 and after about 12 years, in the year 2019, the present FIR has been lodged and on the basis of the FIR, the petitioner has been dismissed from service.

Learned counsel for the State submits that the petitioner was appointed as a teacher on the basis of forged educational certificates and he withdrew public money.

Considering the delayed lodging of the FIR and the



fact that the petitioner has been dismissed from service, let the petitioner above named be released on anticipatory bail for the present provisionally for a period of three months in the event of arrest or surrender before the learned Court below on furnishing one surety to the satisfaction of the learned ACJM-III, Jhanjharpur, in connection with Andhratharhi P.S. Case No. 92 of 2019.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond on furnishing an undertaking by the surety, on photo copy of his Aadhar Card to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties including one surety given at the time of provisional bail of the like amount each to the satisfaction of learned ACJM-III, Jhanjharpur, in connection with Andhratharhi P.S. Case No. 92 of 2019.

The learned Court below will be at liberty to extend the period of provisional bail further if the court proceeding in



physical mode will not resume in next three months.

Accordingly, the present application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/Ashwini

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