

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26433 of 2020

Arising Out of PS. Case No.-154 Year-2020 Thana- GHOSI District- Jehanabad

MANOJ KUMAR S/o Amerika Singh Yadav Resident of Village-Devariya,
Ward No.29, P.S.-Jehanabad, District-Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sidharth Prasad, Advocate

For the Opposite Party/s : Mrs. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 12-10-2020 Heard Mr. Sidharth Prasad, learned counsel for the

petitioner and Mrs. Nirmala Kumari, learned Additional Public

Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with
Ghoshi P.S. Case No. 154 of 2020 registered for the offence
punishable under Section 467 / 468 / 471 / 419 / 420 of the
Indian Penal Code, 1860.

The prosecution story in brief is that the informant-
Child Development Project Officer, Ghoshi on 22.04.2020 made
a complaint to the S.H.O., Ghoshi alleging therein that the
petitioner has obtained appointment in the Office of Child
Development Project Officer on the post of Executive Assistant
by producing appointment letter bearing no. 128 dated
07.02.2020 which was verified and upon verification of the said



letter it has been clarified that the appointment letter submitted by the petitioner is forged and fabricated having forged signature of the District Magistrate, Jehanabad thereon.

Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged inasmuch as pursuant to the application called by the District Administration, Jehanabad the petitioner had applied online for appointment on the post of Executive Assistant and accordingly, computerized acknowledgment was issued in favour of the petitioner, as would be evident from Annexure – 3 to this petition. Learned counsel further submits that thereafter the petitioner was issued appointment letter by Office of District Magistrate dated 07.02.2020 and pursuant thereto the petitioner has submitted his joining on 12.02.2020. Learned counsel further submits that in fact there is circular of the General Administration Department that appointment on the post of Executive Assistant was to be done by the BELTRON, as would be evident from the letter dated 31.07.2019 at page no. 15, but it appears that online application for appointment was called for from the Office of District Magistrate, Jehanabad and after completing the process by the District Administration, Jehanabad appointment letter was issued in favour of the



petitioner but the district authorities on the basis of the aforesaid circular of the General Administration Department is wrongly saying that appointment letter of the petitioner is forged and fabricated. Learned counsel further submits that petitioner is in custody since 22.04.2020 i.e almost for about six months. Learned counsel also submits that petitioner has not been given any salary after he submitted his joining, as such, there is no loss of State revenue whatsoever.

Having heard learned counsel for the parties and taking into consideration the materials available on record and the fact that petitioner has remained in custody almost for about six months, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned ACJM I, Jehanabad / court concerned in connection with Ghoshi P.S. Case No. 154 of 2020 on the following condition:-

(i) that the petitioner shall remain present on each and every date during the course of trial and in case of default on two consecutive dates on the part of the petitioner;



his bail bond shall be liable to be cancelled.

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

(Anil Kumar Sinha, J)

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