

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27021 of 2020

Arising Out of PS. Case No.-269 Year-2019 Thana- LALGANJ District- Vaishali

Subodh Ram, Son of Vanarsi Ram, Resident of Village - Adinpur Pakri, P.O. -
Manikpur Pakri, P.S. - Lalganj, District - Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Prakash Chandra Jha, Advocate
For the S t a t e	:	Smt. Pushpa Sinha, APP
For the Vigilance	:	Mr. Anil Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 13-11-2020 Since as of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through video conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

The petitioner is apprehending his arrest in connection with Lalganj P.S. Case No.269 of 2019 registered for the offence punishable under Sections 420, 467, 468, 471, 120B of the Indian Penal Code.

In the year 2013, the petitioner is alleged to have obtained appointment as Panchayat Teacher relying upon false



and fabricated testimonials. The F.I.R. has been lodged by the State Vigilance Department in the year 2019.

It is submitted by the petitioner's counsel that much prior thereto, i.e., in the year 2016 itself, under letter dated 09.07.2016 (Annexure 2), the petitioner had resigned and as such, he is not the beneficiary of the alleged illegal appointment, even since before lodging of the F.I.R.

Learned APP for the State has appeared. Mr. Anil Singh, learned Counsel is appearing for the Vigilance Department and has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow petitioner's prayer for grant of anticipatory bail.

Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Lalganj P.S. Case No.269 of 2019, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:



(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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