

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27081 of 2020

Arising Out of PS. Case No.-118 Year-2019 Thana- KHUTAUNA District- Madhubani

TONKESHWAR NARAYAN Son of Shailedra Kumar Singh @ Acharya
Shailendra Kumar Singh Resident of Village- Shaharwa Kusmar, P.S.-
Khutauna, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate
	:	Mr. Ravi Prakash
For the Opposite Party/s	:	Ms. Pushpa Sinha no. 1

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-11-2020 The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of COVID-19 Pandemic.

Heard the learned counsel for the petitioner and Ms. Pushpa Sinha no. 1, the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Khutauna PS case no. 118 of 2019 registered for the offences punishable under Sections 420, 467, 468, 471, 120(B) of Indian Penal Code.

The allegation is regarding the petitioner having produced forged documents and obtained job of a Shiksha Mitra on 01.04.2003, whereafter subsequently, he was appointed as Panchayat Teacher on 01.07.2006. It is alleged that the



certificate of *Madhyama* examination pertaining to the petitioner herein was sent to Bihar Sanskrit Education Board, Patna and it has been reported that in the records of the Board, the certificates of *Madhyama* examination have been issued only up to serial no. 537, however the certificate of the petitioner bears serial no. at 629.

The learned Senior counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is having a clean antecedent. It is further submitted that the petitioner has not committed any fraud and there may be a bonafide mistake on the part of the Board, however it is submitted that the petitioner has already been dismissed from service.

Per contra, the learned APP for the State vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the parties and taking into account the fact that there may be a bonafide mistake in mentioning the serial number of the certificate of *Madhyama* examination pertaining to the petitioner herein as also considering the fact that the petitioner is having a clean antecedent, I deem it fit and appropriate to admit



the petitioner to the privilege of anticipatory bail, however subject to him joining the investigation, failing which the prosecution would be at liberty to approach this Court for cancellation of the privilege of anticipatory bail being granted to the petitioner herein. Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IIIrd, Jhunjharpur, Madhubani in connection with Khutauna PS case no. 118 of 2019 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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