

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60573 of 2019**

Arising Out of PS. Case No.-117 Year-2019 Thana- SANGRAMPUR District- East
Champaran

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Amit Kumar Singh S/o Ashok Kumar Singh @ Ashok Singh R/o village-
Rampur Khajuriya, Hussaini, P.S.- Keshariya, District- East Champaran at
present posted as Panchayat Teacher Nav Srijit Prathmik Vidyalaya, Noniya
Tola Ward No. 7 West Sangrampur, District- East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Dilip Kumar Tondon, Adv.
For the Opposite Party : Ms Pushpa Sinha, APP

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**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

8 12-06-2020 The matter has been listed today for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and the learned APP
for State.

Petitioner apprehend his arrest in connection with
Sangrampur P.S. case no.117 of 2019 instituted for the offence
under Sections, 467, 468, 471 and 420/34 of the IPC.

The petitioner is an accused of having obtained employment
as a 'Panchayat Teacher' by submitting a forged Teachers Eligibility
Test (for short 'TET') result. The FIR has been lodged by the Block
Education Officer as per direction of the District Education Officer,



for lodging the FIR against the petitioner.

The Court had had earlier called for a report from the Bihar School Examination Board. The report has been sent, wherein, it is stated that upon verification the petitioner's result for TET was found to be showing not qualified in paper-I.

Petitioner's counsel submits that the correctness of the verification and merits of the allegations against the petitioner of obtaining employment by submitting a forged documents are issue which are yet to be considered and decided in trial arising out of Sangrampur P.S. case no. 117 of 2019, G.R. Case no. 3963 of 2019, where, the petitioner would appear and cooperate for expeditious conclusion of the same. Petitioner's counsel submits that merely because he was raising a demand for salary he has been falsely implicated in the instant case. It is submitted that arising out of the same appointment process similar allegations have been levelled against the other 'Panchayat Teachers' of having obtained the employment on the basis of forge TET certificate. They have also been allowed the privilege of anticipatory bail in Cr. Misc. no. 6039 of 2018 and Cr. Misc. no. 50728 of 2018.

The learned APP for the State has opposed the prayer for anticipatory bail by submitting that in view of the report from the Bihar School Examination Board, the petitioner cannot escape his criminal liability.

Considering the rival submissions, prayer of the petitioner for



grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner before the court below, named above, within four (04) weeks from today, he 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 the **C.J.M. East Champaran**, in connection with **Sangrampur P.S. Case no. 117 of 2019, G.R. Case no. 3963 of 2019**, subject to the conditions as laid down under Section 438(2) Cr. P.C. 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.

(Madhuresh Prasad, J)

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