

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66077 of 2019

Arising Out of PS. Case No.-360 Year-2018 Thana- ATRI District- Gaya

Abhimanyu Singh @ Abimanu Singh, Son of Shyamakishor Singh Resident
of Village- Riula, P.S.- Atri, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Vigilance Department through its Superintendent of Police, Bihar,
Patna. Bihar, Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2
For the Vigilance : Mr. Arvind Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 04-03-2020 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Atri P.S. Case No.360 of 2018, registered for the offence
punishable under Sections 420, 467, 468, 471, 196, 197, 198,
199, 201 and 120(b) of the Indian Penal Code.

The allegation against the petitioner is that the
petitioner, being the Zila Pramukh, was Chairman of the
Appointment Committee and appointed one Preety Kumari on
the post of teacher on the basis of forged certificate.

Mr. Manish Kumar No.2, learned counsel appearing
for the petitioner submits that petitioner has unnecessarily been



dragged in this case inasmuch as petitioner was Chairman of the Selection Committee and on the basis of testimonial produced by the candidates, the Committee recommended the name of the candidates for the purpose of appointment on the post of teacher. Learned counsel further submits that there was no mechanism before the Selection Committee to verify the certificate produced by the candidates at the time of recommending their names. Learned counsel further submits that subsequently upon enquiry by the Vigilance, it was found that the certificate produced by the selected candidates was forged and fabricated. Learned counsel relying upon Annexure-2 submits that similarly situated accused person, Rekha Devi, who was also one of the member of the Selection Committee, has been granted bail by this Court vide order dated 26.02.2019 passed in Cr. Misc. No.11516 of 2019.

On the other hand, Mr. Arvind Kumar, learned counsel for the Vigilance, vehemently opposes the prayer for anticipatory bail and submits that it was the duty of the petitioner to verify the certificate at the time of recommending the name of teacher, Preety Kumari. Learned counsel further submits that the petitioner has failed to perform his duty as Chairman of the Selection Committee and accordingly he does



not deserve the privilege of anticipatory bail.

Having heard learned counsel for the parties and taking into consideration the fact that the petitioner was the Chairman of the Selection Committee and only recommended the name of the teacher, namely, Preety Kumari and similarly situated accused person, namely, Rekha Devi, who was Mukhiya of the Gram Panchayat, has been granted bail by this Court, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, 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 learned Additional Chief Judicial Magistrate-XIII, Gaya, in connection with Atri P.S. Case No.360 of 2018, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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