

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81541 of 2019

Arising Out of PS. Case No.-258 Year-2019 Thana- ALOULI District- Khagaria

NANDKISHOR KUMAR S/o Rajendra Yadav R/o village- Hathwan Purbi
Tola, P.S.- Alauli, District- Khagaria

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Kanhaiya Kumar, S.P. vigilance, Muzaffarpur Reason, at present vigilance
Dept. Camp, Middle School, Hajipur, Khagaria. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh
For the Opposite Party/s : Mr.Ajay Mishra

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 21-01-2020 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner apprehends his arrest in connection with
Alauli P.S. Case No. 258 of 2019, G.R. No. 2243 of 2019 for the
offence punishable under Sections 420, 467, 468, 471 and 120(B) of
the Indian Penal Code.

The allegation is regarding the petitioner having forged
his intermediate certificate and on the basis of the same, he had
obtained appointment as a Panchayat teacher.

The learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the present case and is
having a clean antecedent. It is further submitted that the petitioner
has already been removed from service, hence he has been suitably
punished. It is also submitted that similarly situated co-accused
person has already been granted anticipatory bail by a co-ordinate



Bench of this Court vide order dated 10.12.2019 passed in Cr. Misc. No. 74010 of 2019.

Per contra, the learned A.P.P. for the State and the learned counsel for the Vigilance have vehemently opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner, coupled with the fact that the petitioner is having a clean antecedent and similarly situated co-accused person has already been granted anticipatory bail by a co-ordinate Bench of this Court, I deem it fit and proper to direct for release of the petitioner on anticipatory bail.

Accordingly, in the event of arrest or surrender in the court below within a period of four weeks from today, the petitioner, above named, is directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Alauli P.S. Case No. 258 of 2019, G.R. No. 2243 of 2019, , subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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