

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14709 of 2021

Arising Out of PS. Case No.-23 Year-2019 Thana- SAHIYARA District- Sitamarhi

SUNIL KUMAR @ SUNIL KUMAR SINGH S/o- Late Rambali Bhagat
Resident of Village and P.O.- Matiyar, P.S.- Sahiyara, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Superintendent of Police, the Vigilance Investigation Bureau,
Muzaffarpur Range, Muzaffarpur. Muzaffarpur.
3. The Deputy Superintendent of Police, Vigilance Investigation Bureau,
Muzaffarpur Range, Muzaffarpur Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrit Abhijat, Adv
For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 09-08-2021 In view of sudden resurgence of COVID – 19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

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

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

Petitioner seeks bail in Sahiyara P.S. Case No. 23 of



2019 registered under Sections 420, 467, 468 and 471 of the IPC.

A supplementary affidavit has been filed by the petitioner's counsel stating that the petitioner is no longer a beneficiary of alleged illegal appointment as Panchayati Teacher. The petitioner has been terminated under office order dated 14.3.2019 which the petitioner has not assailed. The submission is that in view of the order of Hon'ble High Court in C.W.J.C. no. 15449/2014, since the petitioner is no longer a beneficiary of the illegal appointment he may be allowed the benefit of bail. He is in custody since 4.9.2020. It is also submitted that under wrong impression without any fault committed by the petitioner he was selected in the process of selection. Charge-sheet has already been submitted. There is no chance of tempering of evidence and the petitioner has no criminal antecedent.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned



A.C.J.M.-V, Sitamarhi in Sahiyara P.S. Case No. 23 of 2019
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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