

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24143 of 2021

Arising Out of PS. Case No.-49 Year-2020 Thana- SHERGHATI District- Gaya

Ajay Kumar S/o Sukhdeo Yadav R/o village- Shivganj, P.S.- Dhobi, District- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sarvesh Kumar S/o Chandrika Singh R/o village- Chilkipur, P.O.- Mai Fareeda, P.S.- Nalanda, District- Nalanda, the Deputy Superintendent of Police-cum-Investigating Officer, Vigilance Investigation Bureau, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mirityunjay Kumar, Advocate
For the Opposite Party/s : Mr.Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 07-12-2021 Heard learned counsel appearing on behalf of the petitioner and learned APP appearing on behalf of the State.

Petitioner who is in custody since 09.12.2020 seeks regular bail in connection with Sherghati (Dhobi) P.S. Case No. 49 of 2020 registered for offences punishable under Sections 420, 467, 468, 471 and 120B of the Indian Penal Code.

The petitioner is alleged to have obtained appointment as a Teacher on the basis of fake and forged certificate regarding his academic qualification. The aforesaid facts were unearthed only after an order passed in PIL petition before this Court which gave direction to the respondent authorities to enquire about the irregularities in the appointment process of teachers.



Learned counsel for the petitioner submits that no material has been brought out before this Court to justify any custodial interrogation of the petitioner as the investigation would primarily veer around finding out the process by which fake certificates were obtained and made use of for the purposes of appointment in Government job. He further submits that under similar circumstances many other teachers whose certificates were found to be forged have been granted bail by this Court.

Learned A.P.P., however, opposes the prayer for bail.

Considering the aforesaid facts and circumstances, taking into consideration that similarly situated co-accused persons have already been granted bail, let the petitioner above named, be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Sherghati, Gaya in connection with Sherghati (Dhobi) P.S. Case No. 49 of 2020 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court.

(iii) If the petitioner tempers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Purnendu Singh, J)

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