

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20568 of 2020

Arising Out of PS. Case No.-83 Year-2019 Thana- HAYAGHAT District- Darbhanga

1. Sunil Kumar Mandal, Male, aged about 52 years, Son of Baleshwar Mandal, Resident of Ward No. 09, Sarai Ranjan, P.S. - Sarai Ranjan, District-Samastipur.
2. Pooja Kumari, Female, aged about 28 years, daughter of Bimal Kishore Das, Wife of Satya Narayan Paswan, Resident of Ward No. 11, Gulab Tol Singhiya, P.O. - Janardanpur, P.S.-Kalyanpur, District-Samastipur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Durga Nand Jha, Advocate
For the Opposite Party : Mr.Ajay Mishra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 22-02-2021 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 420, 467, 468, 471 and
120(B)/34 of the I.P.C.

The prosecution story, in brief, is that on the basis of
the order passed by the Hon'ble Patna High Court in C.W.J.C.
No. 15459 of 2014, academic certificates of the Primary
Teachers are being enquired by the Vigilance Investigation
Bureau of Patna. Out of which, enquiry of Darbhanga District
has been entrusted to the informant. During enquiry, it was
found that the petitioners were appointed as Teachers on



19.07.2013 and 24.07.2013 respectively in Upgraded Middle School, Godhari on the marks sheet obtained in Bihar Elementary Teacher Eligibility Test (BETET) -2011 as 109 and 94 respectively but on enquiry it was found as 55 and 25 marks respectively and petitioners succeeded in obtaining their appointments on the basis of ingenuine marks-sheet showing them having passed the B.E.T.E.T. Examination-2011.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have been made accused in the present case due to mistake of fact. The allegation of submitting fake marks-sheet is denied by the petitioners for obtaining job of Panchayat Teacher. Due to error on record, the present case has been instituted.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each



with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-9, Darbhanga, in connection with Hayaghat P.S. Case No. 83/19, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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