

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20372 of 2020

Arising Out of PS. Case No.-96 Year-2018 Thana- MARAUNA District- Supaul

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Ajay Kumar Mandal Son of Satyadeo Mandal, Resident of Village - Kharail,
P.O.- Karanpur, P.S.- Supaul, District- Supaul. Petitioner/s
Versus

1. The State of Bihar.
2. Bihar School Examination Board, Patna. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Roshan Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

9 19-02-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking anticipatory bail in connection with Marauna P.S. Case No. 96 of 2018 registered for offence punishable under sections 406, 409, 420, 467 and 468 of the Indian Penal Code.

The petitioner has been appointed on the basis of a Certificate which could not have been valid certificate, as he has obtained the Certificate during the period when the Institution was not a recognised Institution. An enquiry was conducted, his Certificate was found to be not legal and ultimately he has been dismissed from service.

This Court had given liberty to the petitioner that if he will deposit the 1/4th of the entire amount which he had received



as salary then the Court may consider to grant relief to him, but the answer has not come forward positive, in such circumstances, this Court has no other alternative but to reject the bail application of the petitioner and accordingly his prayer for grant of bail is rejected.

However, if the petitioner deposits the 1/4th of the amount and surrenders before the court below with the receipt of said money within a period of six weeks from today, he will be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the Judicial Magistrate-II, Supaul in connection with Marauna P.S. Case No. 96 of 2018, subject to the conditions as laid down under section 438 (2) Cr.P.C. In case of failure to deposit the aforesaid amount within the time prescribed, the relief/liberty granted to the petitioner will be treated to have been withdrawn and the petitioner should be taken into custody.

(Shivaji Pandey, J)

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