

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25095 of 2020**

Arising Out of PS. Case No.-57 Year-2017 Thana- ARWAL District- Jehanabad

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Tufail Ahmad Khan @ Tufail Ahamad Khan aged about 63 years (M), Son of Late Israr Ahmad Khan, then Panchayat Sevak of Gram Panchayat Pakharpur, P.S. and District- Arwal, At present resident of Village- Quazi Dhorha, P.S.- Makhdumpur District- Jehanabad.

... .. Petitioner

Versus

The State of Bihar through Vigilance Investigation Bureau, Bihar, Patna.

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Paras Nath, Advocate

For the Opposite Party/s : Mr.Rana Vikram Singh, Adv., Vigilance Deptt.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

6. 20-01-2021 Heard learned counsel for the petitioner and learned counsel for the Vigilance Investigation Bureau.

The petitioner apprehends his arrest in Arwal P.S. Case No. 57 of 2017 registered for the offence under Sections 419, 420, 467, 468, 471 and 120(B) of the Indian Penal Code.

As per the prosecution case, this petitioner alongwith other accused persons appointed contract teachers on the basis of forged and fabricated educational certificate. Petitioner was Panchayat Sevak-cum-Secretary of the appointment committee.

It is submitted on behalf of the petitioner that the appointment of the Panchayat Teachers were made by the committee and petitioner was simply Secretary of that committee. Petitioner was not the appointing authority, rather all the decisions were taken by the committee. Moreover, the appointment of the Panchayat Teachers has already been



cancelled. It is further submitted on behalf of the petitioner that petitioner has already retired from service and has got clean antecedent, as stated in paragraph - 3 of the petition.

However, counsel for the Vigilance Investigation Bureau opposed the bail application and submitted that this petitioner was the Panchayat Sevak at the relevant time and Secretary of the appointment committee.

Considering the aforesaid facts and circumstances, the anticipatory bail application of petitioner is allowed. In the event of his arrest or surrender within a period of eight weeks from the date of receipt/production of copy of this order, let the above-named petitioner be enlarged 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 Chief Judicial Magistrate, Arwal in connection with Arwal P.S. Case No. 57 of 2017, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J.)

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