

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 31620 of 2020

Arising Out of PS Case No.-117 Year-2019 Thana- SANGRAMPUR District- East
Champaran

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Ajay Kumar Yadav, aged about 38 years (Male), Son of Radha Yadav,
Resident of Village - Bhada Murh, PS- Sangrampur, District - Sangrampur,
Presently Resident of New Primary School Vriti Tola, Shyampur, PS-
Sangrampur, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raju Kumar, Advocate

For the State : Mr. Satyadeo Singh Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 22-03-2021

Heard Mr. Raju Kumar, learned counsel for the
petitioner and Mr. Satyadeo Singh Yadav, learned Additional
Public Prosecutor (hereinafter referred to as the 'APP') for the
State.

2. The petitioner apprehends arrest in connection with
Sangrampur PS Case No. 117 of 2019 dated 07.06.2019, instituted
under Sections 420/34, 467, 468 and 471 of the Indian Penal
Code.

3. The allegation against the petitioner is that the TET
certificate on the basis of which he has been granted the job of a
teacher was found to be forged and fabricated.



4. Learned counsel for the petitioner submitted that he had given a petition before the authorities for making payment of his salary which was not being made and this resulted in another chapter being opened and the allegation now is that he had submitted a forged TET certificate. Learned counsel submitted that before lodging the FIR also there was no notice or show cause given to him.

5. Learned APP submitted that the present case does not require any show cause for the reason that upon verification from the Issuing Authority, it has been reported that such certificate was never issued, especially in the name of the petitioner. Learned APP submitted that the petitioner has not denied that he had obtained employment on the basis of the said TET certificate which obviously was produced by him before the authorities and once the same has been verified by the Issuing Authority, there is no occasion to ask for any explanation or show cause, as the same would be a mere formality. Learned counsel submitted that even in the present application, such statement has not been made that the certificate submitted by the petitioner for grant of employment was genuine. Learned counsel submitted that on the last occasion, learned counsel for the petitioner had taken time to file



supplementary affidavit with regard to the certificate submitted by him not being forged or fabricated but the same has not been done.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in view of the fact that time was taken by learned counsel for the petitioner for filing supplementary affidavit and the same not having been done, withing any explanation forthcoming, itself indicates that the petitioner does deny the fact that the certificate submitted by him before the authorities with regard to him having qualified the TET examination, on the basis of which he was given the job, was not genuine.

7. For reasons aforesaid, the Court is not inclined to grant pre-arrest bail to the petitioner.

8. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

P. Kumar

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