

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13562 of 2022

Arising Out of PS. Case No.-163 Year-2021 Thana- BIRAUL District- Darbhanga

Umesh Kumar Yadav S/O Ayodhi Yadav Amar R/O Village- Kasha (wrongly Mentioned In F.I.R. In Column-7 As Village Kasha), P.O.- Tardiha, P.S.- Madhepur, District- Madhubani, Presently Physical Teacher, Middle School, Pahopatti, Parsarma, Block- Biraoul, District- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar.
2. THE SUPERINTENDENT OF POLICE, VIGILANCE INVESTIGATION BUREAU, BIHAR, PATNA BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Masoom Alam

For the Opposite Party/s : Mr. Ajay Mishra

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 18-10-2022 Heard learned counsel for the petitioner, learned Additional Public Prosecutor for the State and learned counsel for the Bihar State Examination Board.

Learned counsel for the petitioner undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 420, 467, 468, 471 and 120(B) of the Indian Penal Code.

Allegation against the petitioner is that he has got service on the basis of the forged certificate.

Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. He submits that the entire prosecution report is based on misconception of fact and totally against the actual state of affairs. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State and learned counsel for the Bihar State Examination Board opposes the prayer for bail and submitted that there is a mismatch of the marks of the petitioner which has now been corrected and a fresh mark-sheet has been issued to the petitioner.

Considering the facts and circumstances of the case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Birual P.S. Case No. 163 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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