

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9330 of 2022

Arising Out of PS. Case No.-88 Year-2017 Thana- BHAGWANPUR District- Begusarai

Subhas Pd Das @ Shubhash Prasad Das, Son of Late Chano Das, Resident of
Village - Chaknayat, P.s.- Bhagwanpur, Dsitt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar through the Police inspector, Vigilance investigation
Bureau, Bihar, Patna. Bihar

... .. Opposite Party/s

Appearance :

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

For the State : Mr. Arvind Kumar, APP

For the Vigilance : Mr. Anil Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 27-07-2022 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Bhagwanpur P.S. Case No. 88 of 2017 registered for the alleged offences under Sections 467, 468, 471, 420 and 120B/34 of the Indian Penal Code.

Allegation against the petitioner is that he furnished forged mark-sheet and got the employment as a teacher on the basis of this forged mark-sheet.

The learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. Similarly placed other co-accused persons, namely, Ramhit Mahto has been granted bail by a Co-ordinate Bench of this Court vide order dated 04.07.2018 passed in Cr. Misc. No. 38747 of 2018 and another co-accused Ashik Paswan has also been granted bail by a Co-ordinate Bench of this Court vide order dated 22.09.2020 passed in Cr. Misc. No. 23895 of 2020. The charge-sheet has been submitted in this case and the petitioner is in custody since 12.11.2021.

Learned counsel appearing on behalf of the Department of Vigilance submits that the counter affidavit has been filed in this case on behalf of the State through the Department of Vigilance. The mark-sheet of Matriculation examination of the petitioner has been found to be forged where there was manipulation regarding marks of this petitioner and by making the manipulation in his marks, the petitioner was successful in getting the employment. Learned counsel further submits that though the petitioner was knowing about this fact of forgery in his mark-sheet, yet he did not take benefit of the amnesty scheme which was offered earlier.

Having regard to the submissions made on behalf of the parties and considering the fact that the similarly placed co-



accused persons have been allowed bail by different Co-ordinate Benches and further considering the fact of submission of charge-sheet and the period of his custody, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai, in connection with Bhagwanpur P.S. Case No. 88 of 2017, subject to the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

However, the learned trial court is directed to expedite the trial and conclude the same within six months.

(Arun Kumar Jha, J)

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