

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20675 of 2021

Arising Out of PS. Case No.-351 Year-2019 Thana- BELHAR District- Banka

1. NAVNEET KUMAR, Son of Hit Narayan Sharma Resident of Village - Brahmasathan, P.S. - Bariyarpur, District - Munger (Teacher, Primary School, Belda).
2. PAWAN KUMAR DAS, Son of Ram Lakhan Das Resident of Village - Kurpat, P.S. - Sabour, District - Bhagalpur (Teacher, Primary School, Adarsh Khutahri).
3. VIKASH KUMAR, Son of Braj Kishore Mishra Resident of Village- Mathura Nath Ghosh Lane, Buraneth, P.S. - Kotwali, District - Bhagalpur (Teacher, Primary School, Sewkagola)
4. MUKESH KUMAR JHA, Son of Biniya Nand Jha Resident of Mohalla - Sijaganj, P.S. - Kotwali, District - Bhagalpur (Teacher, Primary School, Khutarhri).
5. GOPAL YADAV, Son of Banarsi Yadav Resident of Village - Khutahari, P.S. - Belhar, District - Banka (Teacher Primary School, Daulatpur).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bal Krishna Mishra
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 17-01-2022 Heard learned Counsel for the petitioners and

learned Additional Public Prosecutor for the State, through

Video Conferencing.

This application, for grant of anticipatory bail,
arises out of Belhar Police Station Case No. 351 of 2019,
disclosing offences under Sections 420, 467, 468, 471, 120(B)
of the Indian Penal Code.

Allegations against the petitioners is that they have



obtained the employment on the basis of forged documents.

The learned counsel for the petitioner has submitted that all the petitioners have filed applications for re-inquiry because their certificates are genuine and the authorities are not holding the re-inquiry and it has been wrongly reported by the Sanskrit Shiksha Board that the mark-sheet has not been issued by the Board. It is submitted by the petitioners that the petitioners have not submitted forged documents, which has not been issued by the Board office. It is also submitted by Sri Subodh Kumar Jha, learned counsel for the petitioners that the petitioners have already been suspended and they are facing departmental proceedings. The learned counsel for the petitioner has also filed a supplementary affidavit with which he has annexed some orders passed by this Court in similar cases.

Mr. Arvind Kumar, learned counsel appearing for the Vigilance Department, opposes the prayer for anticipatory bail of the petitioners. He submits that the petitioners have obtained employment on the basis of forged documents and they are the beneficiaries of the documents. Now, they cannot take a plea before this Court that since they have been suspended and they are facing departmental proceedings, they should be granted anticipatory bail.



Considering the submissions of the parties, this Court is inclined to grant anticipatory bail to the petitioners whose guilty has not been proved as yet in the departmental proceeding and the investigation is still pending.

Let the petitioners, named above, in the event of their arrest or surrender before the Court below within ten weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, in connection with Belhar Police Station Case No. 351 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

The petitioner shall join investigation and cooperate in the investigation and they will appear before the Investigating Officer as and when directed and if they do not cooperate with the investigating officer, their bail is liable to be cancelled.

With the aforesaid observation, this bail application is allowed.

(Sandeep Kumar, J)

sanjeev/-

U		T	
---	--	---	--

