

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16241 of 2022

Arising Out of PS. Case No.-809 Year-2021 Thana- MAHUA District- Vaishali

ANARJEET KUMAR @ ANARJEET PASWAN @ AMARJEET KUMAR
Son of Khakhan Paswan Resident of Village- Madhopur, P.S.- Mahua,
District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. A.K. Thakur, Adv.
	:	Ms. Vaishnavi Singh, Adv.
For the Vigilance	:	Mr. Arvind Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 27-07-2022 Let the defect(s), as pointed out by the office, be removed within a period of four weeks from today.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in connection with Mahua P.S. Case No. 809/2021 registered for the offences punishable under Sections 420, 467, 468, 471, 120(B) of the Indian Penal.

As per prosecution case, in view of public interest litigation bearing CWJC No. 15459/2014 the investigation regarding verification of the certificates submitted by employed teachers was initiated and in that regard district wise officers have been appointed to do the same. It is submitted that for the district of Vaishali, the informant has been appointed for doing



the same. It is alleged that upon perusal of the folder so made available to informant by District Programme Officer it transpired that the accused-petitioner was appointed as Shiksha Mitra in the year 2003 and at present he is posted at Utkramit Middle School Tajpur Bujurg. It is further alleged that on the verification of his educational testimonial the roll code on his matriculation mark sheet was found to be 5332, whereas his roll number was 0275. He is stated to have obtained total 593 marks in the examination conducted in the year 1991 and he passed the examination with first division. The further prosecution case is that upon sending said mark sheet to the Bihar School Examination Board for verification of the same it transpired that the data was not available in OTR/DTR and his mark sheet was found to be forged.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. As per FIR, it will be evident that simply because the date was not entered while entering in the computer of UTR/DTR it is alleged that mark-sheet of the petitioner is not genuine. He further submits that as per FIR, it does not appear that the aforesaid roll number and roll code belongs to any other person. The petitioner is languishing in custody since 30.12.2021 and



bears no criminal antecedent. Charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, charge sheet has already been submitted in this case and there is no likelihood of tampering with the prosecution evidence and keeping in view clean antecedent of petitioner and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Mahua P.S. Case No. 809/2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for



cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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