

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35606 of 2021**

Arising Out of PS. Case No.-321 Year-2020 Thana- TEKARI District- Gaya

Rahul Kumar S/O Mithlesh Singh R/O Village-Sonaut, P.S-Moffasil, District-Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Prithivi Raj Singh, Advocate
For the State	:	Ms. Pronoti Singh, APP
For the Vigilance Deptt.	:	Mr. Arvind Kumar, Advcoate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

6 09-05-2022 Heard learned counsel for the petitioner, learned APP
for the State as well as learned counsel for the Vigilance
Department.

The petitioner apprehends his arrest in connection
with Tikari P.S. Case No.321 of 2020 registered for offences
under Sections 420, 467, 468, 471 and 120(B) of the Indian
Penal Code.

The present FIR has been registered in 2020 disputing
the marks obtained by the petitioner and securing his
appointment in 2014. Accordingly, he has been terminated from
his service.

Learned counsel for the Vigilance Department
submits that the entire investigation has begun on the basis of



the order passed by this Court in PIL matter, therefore, petitioner does not deserve anticipatory bail.

Merely because investigation of the case started only on the order of this Court in PIL matter, the principle of grant of bail and discretion vested in the Court shall not change. Considering the fact that appointment of the petitioner was made in 2014 and FIR has been registered in 2020 disputing the marks of the petitioner which may be subject of challenge in competent civil court and also considering the fact that there is no chance of his absconding, this application for anticipatory bail is allowed.

Accordingly, let petitioner, above-named, in the event of his arrest or surrender within four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 6th, Gaya in connection with Tikari P.S. Case No.321 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sandeep Kumar, J)

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