

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35620 of 2021

Arising Out of PS. Case No.-166 Year-2017 Thana- MATIHANI District- Begusarai

Sikandar Kumar Son of Shiv Paswan @ Shiwalak Paswan Resident of Village
Amraur Kiratpur, P.S.- Muffasil Begusarai, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar through Vigilance Investigation Bureau, Muzaffarpur,
Bihar. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Pramod Kumar, Advocate
For the State	:	Mr.Rajendra Nath Jha, APP
For the Vigilance Deptt.	:	Mr. Arvind Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 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 Matihani P.S. Case No.166 of 2017 registered for offences
under Sections 467, 468, 471, 420 and 120(B)/34 of the Indian
Penal Code.

The present FIR has been registered in 2017 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 2017 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 Sri Juned Alam, learned Judicial Magistrate, 1st Class, Begusarai in connection with Matihani P.S. Case No.166 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sandeep Kumar, J)

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