

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29115 of 2022

Arising Out of PS. Case No.-336 Year-2021 Thana- BIRAUL District- Darbhanga

Manoj Kumar Mishra S/o Sri Mohan Mishra Resident of Village- Kishanpur,
P.O.- Nawada, P.S.- Bahera, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kaushal Kumar Jha, Advocate

For the Opposite Party/s : Mr. Anant Kumar I, A.P.P.

For the Vigilance : Mr. Arvind Kumar, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 14-11-2022 Heard learned counsel for the petitioner, learned
counsel on behalf of the Vigilance Bureau and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 420, 467,
468, 471 and 120B of Indian Penal code.

According to prosecution, that the petitioner has
been made an accused on the basis of written application of
informant allegation that the order from Vigilance Department
Head Office Patna to enquire Neojit Teacher who were
appointed from 2006 to 2015 in Bihar accordingly to the order



of Hon'ble High Court. Informant started inquiry in Samastipur District of appointment of Neojit Teacher and that the informant inquired in the Nav Srijit School, Rasalpur, Baghla and the informant found BETET Examination and of was given by the office of the Bihar School Examination Board, Patna and his certificate has been found forged on this allegation against the petitioner.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present. He further submits that as per allegation that the petitioner has got appointment as a Panchayat Shikshak in the year 2012 on the basis of the forged and fabricated certificate. Learned counsel for the petitioner submits that the petitioner has submitted all the documents as furnished by the Bihar School Examination Board and pursuant to the present FIR the petitioner has been terminated from the service and at the present the petitioner has not been in service.

The learned counsel on behalf of the Vigilance as well as learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner has got job by furnishing fictitious and forged certificate.



Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender within a period of four weeks, be released on anticipatory bail on furnishing bail bond or Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Biroul P.S. Case No. 336 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. 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.

3. And further condition that the Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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