

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39760 of 2020

Arising Out of PS. Case No.-622 Year-2019 Thana- ISLAMPUR District- Nalanda

SUDHIR KUMAR MISHRA Son of Late Gopal Prasad Resident of Village-
Jahanchak, P.S.- Ekangarsarai, District- Nalanda. At present posted at upgrade
Middle School, Maidi Khurd, Islampur, Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Suraj Narayan Yadav
For the Opposite Party/s	:	Mr. Md. Shakir Ahmad
For the Vigilance	:	Mr. Arvind Kumar

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

10 31-01-2022 Heard the learned counsel for the parties.

The petitioner seeks bail in anticipation of his
arrest in connection with Islampur P.S. Case No. 622 of
2019 instituted for the offences under Sections 471, 420
and 120(B) of the Indian Penal Code.

The educational certificate of the petitioner was
found to be forged in the enquiry which has been conducted
on the basis of an order passed by a Bench of this Court in a
Public Interest Litigation. The petitioner had been appointed
on contractual basis as a Block Teacher. The records of the
B.N. Mandal University displays that the petitioner not
passed in the B.Ed. examination but using a certificate



showing him as passed, the appointment on the post of Block Teacher was obtained by him.

The learned counsel for the petitioner has submitted that the records in the University may not have been preserved properly but merely on that account, a suspicion cannot be raised about the genuineness of the certificate of the petitioner which was duly verified and only thereafter the petitioner was given the appointment. He further submits that the records of a University, more so, when the University has been opened only recently, is not conclusive proof of the petitioner having used a forged certificate.

The matter requires to be investigated.

However, regard being had to the nature of accusation against the petitioner, I am not inclined to grant anticipatory bail to him.

The prayer for anticipatory bail is rejected.

Should the petitioner surrender before the court below and seek bail, it would consider the fact that the matter requires investigation particularly of the records of



the University and the certificate of the petitioner, and that he had been discharging his function as a Block Teacher for a long time without any complain from any quarter and an order shall be passed in accordance with law, without being prejudiced by the fact that the present petition on his behalf has not been entertained.

The petition stands disposed off accordingly.

(Ashutosh Kumar, J)

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