

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31295 of 2022

Arising Out of PS. Case No.-39 Year-2022 Thana- BAKHARI District- Begusarai

ABHISHEK KUMAR S/o Naresh Prasad Singh @ Naresh Kumar Singh
Resident of Village- Barbighi, Bari Ballia, P.s.- Ballia, District- Begusarai.
... .. Petitioner/s

Versus

The State of Bihar through the Department of Vigilance Bihar, Patna. Bihar
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate
For the Opposite Party/s : Mr. Arvind Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-10-2022 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the Vigilance.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 409, 420, 467, 468, 471 and 120(B) of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that he got appointment as Panchayat Teacher based on a forged and fabricated marksheet of BETET, it is next alleged that petitioner had secured only 43 marks the certificate which was submitted by him recorded 115 marks. Learned counsel for the petitioner next submits that no opportunity of hearing was given to the petitioner before instituting the FIR, it is next submitted that had an opportunity being given to the petitioner to explain his case then definitely the petitioner would have



been able to convince the authorities that he was completely unaware that the certificate submitted by him was forged and fabricated, it is also submitted that now the appointment of the petitioner stands cancelled.

Learned counsel for the Vigilance opposes the prayer of the bail application of the petitioner, but is not able to meet the submission of the learned counsel for the petitioner that before instituting an FIR any opportunity of hearing was given to the petitioner for putting forth his case.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bakhri P.S. Case No. 39 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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