

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47758 of 2021**

Arising Out of PS. Case No.-208 Year-2019 Thana- JALE District- Darbhanga

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Anil Paswan @ Anil Kumar Paswan Son of Panchu Paswan Resident of
Village - Gorai, Post - Balha, P.S.- Chakmehsi, District - Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Durga Nand Jha, Adv.

For the Opposite Party/s : Mr. Ajay Mishra, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER**

5 10-08-2022 Heard Mr. Durga Nand Jha, learned counsel for the

petitioner and Mr. Ajay Mishra, learned Additional Public

Prosecutor for the State.

The petitioner has renewed his prayer for pre-arrest
bail in connection with Jalley P.S. Case No. 208 of 2019
registered for the offences punishable under Sections 420, 467,
468, 471 and 120B of the Indian Penal Code. The prayer for
grant of pre-arrest bail of the petitioner was earlier rejected vide
order dated 11.11.2020 on the ground that the appointment of
the petitioner as a teacher was made on the strength of a forged
and fabricated mark-sheet of Bihar Elementary Teacher
Eligibility Test.

Learned counsel appearing for the petitioner
submitted that subsequent to the refusal of grant of pre-arrest
bail to the petitioner, another accused has been granted pre-
arrest bail by the court below. He contended that under the same



circumstances, some other accused persons in other cases have also been granted pre-arrest bail by this Court.

Opposing the prayer for grant of pre-arrest bail of the petitioner, Mr. Ajay Mishra, learned counsel for the State submitted that the report received from the Bihar School Examination Board in case of the petitioner would clearly suggest that the mark-sheet of the petitioner of Bihar Elementary Teacher Eligibility Test was not genuine. He produced the forged and fabricated mark-sheet for obtaining the appointment on a post of teacher. He contended that the facts of other cases may not be relevant for disposal of the application of the petitioner. He also contended that the grant of pre-arrest bail to another accused by the court below in spite of the knowledge of rejection of the prayer for grant of pre-arrest bail of the petitioner was not proper.

Be that as it may, considering the gravity of the offence, I am not persuaded to take a different view of the matter. The prayer for grant of pre-arrest bail to the petitioner is rejected.

(Ashwani Kumar Singh, J)

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