

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39237 of 2022

Arising Out of PS. Case No.-361 Year-2021 Thana- KALYANPUR District- Samastipur

=====

AMIT KUMAR Son of Jaiyasi Paswan Resident of village - Kharsand Purbi,
P.S.- Kalyanpur, District - Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Vigilance Investigation Bureau

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Rajeev Ranjan Kumar Pandey
		Mr. Kaushal Kumar Jha, Advocates
For the Opposite Party/s	:	Mr. Arvind Kumar, Spl. PP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 07-11-2022 Learned counsel for the petitioner is permitted to remove the defects, as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioner and learned
Special Public Prosecutor for the Vigilance.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 420, 467, 468, 471, 120B of the Indian Penal Code.

Allegation against the petitioner is that the petitioner produced the fake certificate of BETET and obtained job of teacher which was found forged after verification by BSEB, Patna.

Learned counsel for the petitioner submits that the



petitioner has clean antecedents and he has been falsely implicated in the present case. He further submits that in fact the petitioner was appointed as Panchayat Shikshak in the year 2011 on the basis of certificate given by the concerned Board to the petitioner. Learned counsel for the petitioner submits that pursuant to the order passed in C.W.J.C. No. 15459 of 2014 the inquiry had been set up with regard to the applicant and the report reveals that the certificate of the petitioner is forged and fabricated. Learned counsel for the petitioner submits that pursuant to the report, the petitioner has been terminated from service.

Learned Special Public Prosecutor for the Vigilance has vehemently opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Kalyanpur P.S. Case No. 361 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure and with other 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 witness, 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)

Ibrar//-

U		T	
---	--	---	--

