

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3255 of 2023

Arising Out of PS. Case No.-451 Year-2022 Thana- GORAUL District- Vaishali

SANTOSH KUMAR Son of Basistha Rai R/V- Bhoraha, P.S- Goraul Dist-
Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hemant Kumar,Advocate

For the Opposite Party/s : Mr.Arun Kumar Singh,Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-05-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since
01.12.2022 in connection with Goraul (Kathara O.P.) P.S. Case
No. 451 of 2022, F.I.R. dated 12.10.2022 registered for the
offence punishable under Sections 471,467,468,420,34 of IPC,
1860.

The informant alleged that accused Smt. Vijayanti
Rai, Ramprabodh Singh and Santosh Kumar (petitioner) were
teachers in Rajkiya Prathamik Vidyalaya, Dumari under
Cheharakalan Block and they have prepared new admission
register and produced it before the Magistrate, Juvenile Justice
Board on 23.09.2022 and further they have also issued fake
school living certificate.



Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. Further submits that the allegation against the petitioner is that he has put his signature in the admission register on the basis that other co-accused persons have produced the certificate before the Magistrate, Juvenile Justice Board. Further submits that the allegation as allegation as alleged in the FIR is false and fabricated and the petitioner has put his signature in the register on the request of co-accused persons and the petitioner has no role at all in the present occurrence and the petitioner has falsely been implicated in the present case and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 01.12.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the aforesaid fact, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M-I, Vaishali at Hajipur in connection with Goraul (Kathara O.P.) P.S. Case No. 451 of 2022, with 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/her absence on two consecutive dates without sufficient reason, his/her 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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