

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11011 of 2023**

Arising Out of PS. Case No.-28 Year-2021 Thana- JAMUI District- Jamui

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Arjun Yadav Son Of Pairu Yadav R/O Vill.- Amrath, P.S.- Jamui, Distt.- Jamui

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Vigilance Bureaur Through, S.P. Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Satyam Shivam Sundaram, Advocate
For the Opposite Party/s	:	Mr. Ajay Mishra, APP
For the Vigilance	:	Mr. Arvind Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 05-10-2023 Heard Mr. Satyam Shivam Sundaram, learned counsel for the petitioner, Mr. Arvind Kumar, learned counsel for the Vigilance and Mr. Ajay Mishra, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Jamui P.S. Case No. 28 of 2021, F.I.R. dated 20.01.2021 for the offences punishable under Sections 420, 467, 468, 471 and 120B of the Indian Penal Code.

3. According to prosecution case, the petitioner has produced false and fabricated document for getting appointed on the post of Block Teacher.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been



implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. In fact, the petitioner has submitted the original certificates which he had obtained from the competent board/university at the time of joining on the post of Block Teacher 14 years ago. He further submits that after due verification of the certificate of the petitioner, the competent authority had issued the joining letter to him. He further submits that similarly situated co-accused, namely, Vijay Kumar Singh has been granted anticipatory bail vide order dated 01.11.2022 passed in Cr. Misc. No. 20731 of 2022 and another co-accused, namely, Dinesh Yadav has been granted anticipatory bail vide order dated 22.11.2022 passed in Cr. Misc. No. 31964 of 2022. He further submits that the petitioner has already sent his resignation to the Block Education Officer, Jamui on 28.08.2023 through registered post.

5. The learned counsel appearing on behalf of the vigilance as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner and submits that the petitioner has joined as Block Teacher on the basis of forged and fabricated documents which was furnished



at the time of his joining but fairly submits that on the basis of supplementary affidavit filed on behalf of the petitioner that the petitioner has sent his resignation to the Block Education Officer through registered post.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of 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/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jamui in connection with Jamui P.S. Case No. 28 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. 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.

ii. 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.



iii. 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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