

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14405 of 2023

Arising Out of PS. Case No.-133 Year-2022 Thana- TARAPUR District- Munger

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1. ARPANA SINHA D/O SHAILENDRA PRASAD R/v- Khajpura, Damodarpur Baldha, P.S.- Nagarnausha, District- Nalanda
 2. AMAN KUMAR S/O RAMSHARAN PRASAD R/v- Balbapar Murgawan, P.S.- Ben, District- Nalanda
 3. PINTOO KUMAR S/O BRIJNANDAN PRASAD R/v- Shankardih, P.S.- Parwalpur, District- Nalanda

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-05-2023 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners apprehend their arrest in connection with Tarapur P.S. Case No. 133 of 2022 for the offence registered under sections 420, 467, 468, 471 and 34 of the Indian Penal Code lodged on 05.08.2022 by the informant, Badrinath Singh.

This case has been registered on the basis of a computerized typed application on 05.08.2022 by the Superintendent of Sub- Divisional Hospital Tarapur, alleging therein *inter alia* that according to letter no. 991(6) dated



26.04.2022, seven candidates were appointed on the post of G.N.M. who were posted in the office Sub Divisional Hospital, Tarapur with a direction to verify their educational certificates from their concerned departments. During their verification, the Registration certificate were found forged vide letter no.836/B.N. R.C./2022/1573 B.N.R.C. dated 18.7.2022. Accordingly, the FIR.

It has been submitted by the learned Counsel for the petitioner that they are already out of service.

Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail stating that they entered into service on a fake certificate.

Accepting the version of the learned Counsel for the petitioners that they are out of service, FIR have been lodged and will have to face the music, this Court is inclined to extend them the privilege of anticipatory bail.

If however, it is found that the statement regarding out of service is incorrect, the bail order shall become infructuous.

Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like



amount each to the satisfaction of the learned Court of A.C.J.M.-IV, Munger in connection with Tarapur P.S. Case No. 133 of 2022 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Jagdish/Neha/-

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