

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17473 of 2023

Arising Out of PS. Case No.-322 Year-2022 Thana- RAMGARHWA District- East
Champanan

=====

SHYAM BADAN PRASAD YADAV Son of Basdev Prasad @ Basudev
Prasad Yadav Resident of village - Laxmipur, P.S.- Ramgarhwa, District -
East Champanan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma. Advocate
Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Ajay Mishra, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection
with Ramgarhwa P.S. Case No. 322 of 2022 for the offence
registered under Sections 467, 468, 471, 419 and 420 of the
Indian Penal Code lodged on 22.09.2022.

The prosecution case, in short, is that the informant
alleged that after first and second term of counseling of
preliminary teacher Niyojan of year 2019-20 the Teacher
competitive Test Examination Certificates (CTET/BTET) of
candidate Shyam Badan Prasad Yadav and one Ramesh Kumar
has been found to be fake and forged and District Magistrate,
East Champanan has given an order to D.R.O. East Champanan



vide his letter No. 700 dated 23.05.2022 to lodge FIR against the said forged certificate holder candidates, D.E.O., East Champaran has also passed an order in this regard vide letter No. 885 dated 06.04.2022.

It has been contended by the learned counsel for the petitioner that under *bona fide* belief that he has a genuine certificate represented the same before the office concerned, the same was found to be forged and accordingly his joining was not accepted and this FIR.

Learned APP for the State opposes the prayer for bail stating that the documents he represented, was a forged one.

Considering the fact that he was caught at the first instance, no financial loss happened to the government, case lodged and he will have to face the trial and has no criminal antecedent, this Court is inclined to grant him the privilege of bail.

Let the petitioner, 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 Sub-Divisional Judicial Magistrate, Raxual, Motihari, East Champaran in



connection with Ramgarhwa P.S. Case No. 322 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/her *bona fide*;

(ii) the petitioner 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 his/her bail bond by the Trial court itself;

(iii) the petitioner 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 his bail bonds;

(iv) the petitioner 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.

(viii) the petitioner shall cooperate in the investigation and make himself available to the police as and when required.

(Rajiv Roy, J)

Jagdish/Neha/-

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

