

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19873 of 2022

Arising Out of PS. Case No.-9 Year-2022 Thana- PARSA District- Saran

Aditya Prasad Ray @ Aditya Prasad Rai S/O Valeshwar Ray @ Baleshwar
Rai Resident Of Village- Fatehpur, P.S.- Parsa, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Vigilance Investigation Bureau, Bihar, Patna, 6 Circular Road, Patna.
Bihar

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

10 05-04-2023 Heard Mr. Umesh Kumar Mishra, learned counsel
appearing on behalf of the petitioner and Mr. Ajay Mishra,
learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Parsa P.S. Case No. 09 of 2022 registered under Sections
420, 467, 468, 471 and 120(B) of the Indian Penal Code.

3. As per the prosecution case, the petitioner has taken
employment on the basis of forged/fake matriculation
certificate.

4. Learned counsel appearing on behalf of the
petitioner informs this Court that the teachers who got appointed
on the basis of fake/forged matriculation certificate have been
directed to be released on bail after having tendered their



resignation. He further submitted that similar is the case of the present petitioner who has tendered his resignation on 27.03.2023 by making a communication to the District Education Officer, Saran, Chapra and in this regard he has brought the said communication on record as Annexure-2 which also contains the postal acknowledgment that the letter was sent on 27.03.2023 by speed post.

5. Mr. Anil Singh, Law Officer (Vigilance) informs this Court that the petitioner can be given protection in case he files an affidavit making specific statement that his resignation has been accepted by the Authorities.

6. Learned A.P.P. has supported the submission made on behalf of the Opposite Party No. 2.

7. Considering the rival submissions of the parties, let the above named petitioner be released on provisional bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000 with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX, Saran, Chapra in connection with Parsa P.S. Case No. 09 of 2022 subject to the condition that the petitioner must ensure to file an affidavit along with the acceptance of his



resignation by his Controlling Authority within a period of two weeks, failing which this order will loose its force. In case the petitioner abide by the conditions, the learned Court below after accepting the said evidence shall make the provisional bail absolute on such terms and conditions as he deem it fit and proper.

8. Accordingly, the present bail application is disposed of.

(Purnendu Singh, J)

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