

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23558 of 2023

Arising Out of PS. Case No.-37 Year-2022 Thana- BEN P.S. District- Nalanda

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DHARMENDRA KUMAR Son of Suresh Prasad @ Pratap Sao R/V- Silaw,
PS- Silaw Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Tapeshwar Sharma,APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-05-2023 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since
23.02.2023 in connection with Ben P.S. Case No. 37 of 2022,
F.I.R. dated 04.09.2022 registered for the offence punishable
under Sections 467, 468, 471, 420, 120B of IPC.

Allegation against the petitioner is to obtain job of
Panchayat Teacher fraudulently by filing forged and fabricated
certificate and marks-sheet of Matriculation.

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 as per FIR,
the FIR was instituted against Dharmendra Kumar whose
certificate has been found fake. Learned counsel for the



petitioner submits that the petitioner is not the same person because the father's name of the petitioner is different. In fact the petitioner has submitted genuine certificate at the time of joining on the post of teacher in the year 2022 and after the institution of the present FIR, the petitioner has been removed from the job and petitioner has never submitted any forged certificate as alleged in the FIR and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 23.02.2023.

Learned counsel for the Vigilance and learned APP for the State have vehemently 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 Additional Chief Judicial Magistrate-I, Nalanda in connection with Ben P.S. Case No. 37 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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