

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32936 of 2023

Arising Out of PS. Case No.-117 Year-2018 Thana- NAYA RAM NAGAR District- Munger

Amit Kumar (Male) aged about 37 years, son of Late Bateshwar Prasad Tanti,
resident of Harpur, P.S. Muffasil, District Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Irshad Ahmad Khan, Advocate

For the Opposite Party/s : Mr. Ajay Mishra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 21-07-2023 Heard Mr. Irshad Ahmad Khan, learned counsel

appearing on behalf of the petitioner and Mr. Ajay Mishra,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Nayaram Nagar P.S. Case No. 117 of 2018 registered for
the offence punishable under Sections 419, 467, 468, 471 and
420/34 of the Indian Penal Code.

3. Allegation is of appointment having been made on
the basis of forged certificate.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner was illegally appointed in the
school on the basis of forged certificate. He has resigned from
the school, however, he has not been able to produce the
resignation letter in the present bail application. The petitioner



has already been made accused in the Vigilance Case No. 117 of 2018 along with other co-accused who have already been released on bail. On these grounds, petitioner seeks to be released on bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the aforesaid facts as well as the fact that all the teachers who were appointed on fake degree have been released on bail once their resignation has been accepted by the appropriate authority. The petitioner has already been made accused in the Vigilance Case No. 117 of 2018 along with other co-accused, who have already been released on bail. I am of the opinion that petitioner has *prima facie* made out a case to be released on bail.

7. The Court below is directed to release the petitioner on pre-arrest bail in case the petitioner furnishes the resignation letter or any order relating to his termination from the service. The Court below must verify such documents if furnished on behalf of the petitioner that they are genuine and duly issued by the authorities having jurisdiction.

8. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender



before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-Ist, Munger in connection with Nayaram Nagar P.S. Case No. 117 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

Niraj/Nilmani

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