

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34120 of 2023

Arising Out of PS. Case No.-6 Year-2023 Thana- SIDHWALIYA District- Gopalganj

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Durgesh Kumar, Son of Jaipal Ram, Resident of Village- Deokuli, PS-
Mohammadpur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 24-07-2023 Heard Mr. Mukesh Kumar Singh, learned counsel

appearing on behalf of the petitioner and the learned APP for the

State.

2. The petitioner apprehends his arrest in connection
with Sidhwaliya P.S. Case No. 06 of 2023 registered for the
offence punishable under Sections 420, 467, 468, 471/120(B) of
the Indian Penal Code.

3. Allegedly, the petitioner has obtained his
appointment on the post of 'Panchayat Teacher' on forged and
fabricated certificates, which resulted into institution of the FIR.

4. Submissions have been made on behalf of the
petitioner that in fact the petitioner is a victim of the
circumstances, as he himself cheated by the institution which
has issued the certificates. He further submits that at the time of
his appointment, his certificates were duly verified but no
infirmities has been found. He lastly submits that, be that as it
may, now the petitioner has already been removed from his



services and he is having fair antecedent.

5. On the other hand, learned APP for the State vehemently opposes the pre-arrest bail application of the petitioner, however, he did not confront the submissions that other accused persons, having identical allegation, whose services have also been terminated, they have been allowed the privilege of anticipatory bail.

6. Having considered the submissions made on behalf of the parties and taking note of the fact that now the petitioner has already been removed from his services on 20.01.2023 vide Annexure – 2, coupled with the fair antecedent, let the above named petitioner, be released on bail, in the event of his arrest of surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Gopalganj in connection with Sidhwaliya P.S. Case No. 06 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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