

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41147 of 2023

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

Subhash Kumar Ray S/O Nandu Ray R/O Vill. + Po. Faizullahpur, Ps.
Baikunthpur, Dist. Gopalganj

... .. Petitioner

Versus

1. The State Of Bihar
2. The Police Inspector-cum-Asst. Investigator, Vigilance Investigation
Bureau, Patna.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rakesh Ranjan, Advocate
For the Opposite Party/s : Mr.Anant Kumar-1, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Baikunthpur P. S. Case No. 06 of 2023 registered for the offences punishable under Sections 420, 467, 468, 471, 120(b) of the Indian Penal Code. He has got one criminal antecedent.

3. Learned counsel for the petitioner submits that the petitioner is alleged to have got appointment as Untrained Teacher in the year 2012 by the Employment Unit at Gram Panchayat Raj Ktalpur, Block- Baikunthpur by submitting Marks sheet of BETET which was found to be forged during verification by the Vigilance Department on the basis of the



order passed in C.W.J.C. No. 15459 of 2014 by this Hon'ble Court.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence rather he has falsely been implicated in this case. It is submitted that the letter of engagement is itself specific that the employees will get their salary after the verification of the educational certificate furnished by the candidate.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the facts and circumstances of the case wherein this Court has noticed that the petitioner got his appointment on the basis of a forged certificate, he had an opportunity to resign pursuant to the time granted by this Court in the PIL being CWJC No. 15459 of 2014 but the petitioner did not choose to resign and took calculated risk to continue with the service and drew monetary benefits, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

7. The prayer for anticipatory bail of the petitioner is, thus, refused.

8. In case the petitioner surrenders and prays for



regular bail within four weeks from today in the court below,
his prayer for bail shall be considered on its own merit
without being prejudice by the order of this Court.

9. This application stands disposed of.

(Rajeev Ranjan Prasad, J)

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