

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44596 of 2023

Arising Out of PS. Case No.-28 Year-2021 Thana- KHARHAGPUR District- Munger

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SANJAY KUMAR SINHA SON OF LATE CHANDRADEO SINHA
RATAIRHA, PS- HAVELI KHARAGPUR, DISTRICT- MUNGER

... .. Petitioner/s

Versus

1. The State of Bihar
2. The State of Bihar through Vigilance Investigation Bureau, Patna Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Manoj Kumar Keshri, Adv.
For the Opposite Party/s	:	Mr.Ajay Mishra, APP
For the Vigilance	:	Mr.Arvind Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-08-2023 Heard learned counsel for the petitioner, learned counsel
for the Vigilance and learned APP for the State.

2. The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 420, 467, 468, 471 and 120B IPC.

3. The allegation is regarding the Selection Committee in
question, comprising of the petitioner as one of its member, who
happens to be the then Mukhiya, having made selection of a
candidate on the post of teacher, who had submitted fake
certificates.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case. No such occurrence, in
the manner as alleged, has ever taken place. The petitioner, who



was the then Mukhiya and Chairman of the appointment Committee of the Panchayat teacher is said to have appointed the teacher who had submitted fake certificate. Petitioner is said to have appointed wrong person in place of the actual person. It is submitted that petitioner had no knowledge about the certificate submitted by the concerned candidate but it is fairly submitted that he did not sent the said certificate for enquiry to the concerned Authorities. When the High Court handed over the case to the Vigilance for enquiry, it was found that the said certificate was forged and fabricated and the petitioner along with other members of the Committee were made accused in the present case. Petitioner has no criminal antecedent and similarly situated co-accused namely Sudhir Yadav, Panchayat Secretary has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 23.05.2023 passed in Cr. Misc. No.843 of 2023.

5. Learned APP for the State as well as learned counsel for the Vigilance opposed the prayer for bail. Learned counsel for the Vigilance submits that it was the duty of the petitioner to verify the certificates submitted by the petitioner but he failed to do so.

6. Having regard to the facts and circumstances of the case,



considering that similarly situated co-accused has been granted bail, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six 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 the learned court below where the case is pending/Successor Court in connection with Kharagpur P.S. Case No.28 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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