

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46912 of 2023**

Arising Out of PS. Case No.-60 Year-2023 Thana- BANMANKHI District- Purnia

Niranjan Kumar Son Of Prakash Yadav R/O-Khunt Ward No. 4, Ramnagar
Pharsahi Chopra, P.S.-Banmankhi, Distt.-Purnia

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Ojha, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 30-08-2023 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 Banmankhi P.S. Case No. 60 of 2023 registered for the offences punishable under Sections 420, 467, 468, 471 & 120(B) of the Indian Penal Code. He has no criminal antecedent as stated in paragraph '3' of the application.

3. As per the prosecution story, the informant who is the S.I. of Banmankhi Police Station alleged that in the light of the Hon'ble High Court, Patna in C.W.J.C. No. 15459/2014 under surveillance investigation no. B.S.- 08/15 the irregularities in the appointment of panchayat teacher are being investigated by the Monitoring Investigation



Bureau, Patna. Petitioner was appointed in the year 2014 as panchayat teacher on the basis of B.T.E.T. marks-sheet and when his certificate of B.T.E.T. was sent to Bihar School Examination Board, Patna for verification, it was returned with a stamp as Fake.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned counsel submits that petitioner has qualified the B.T.E.T. examination and after due verification of the documents, his joining in his service has been affirmed by the competent authority and then the department has started giving him salary.

5. Learned A.P.P. for the State has opposed the anticipatory bail of the petitioner.

6. Having regard to the facts and circumstances of the case wherein the allegation against the petitioner is that the certificates of B.T.E.T. was a forged certificate and on that basis he obtained appointment as Panchayat teacher, in fact, despite opportunity granted by the Hon'ble Division Bench of this Court in CW.J.C. No. 15459/2014 to such kind of teachers to resign and seek amnesty, the petitioner



did not resign and continued to draw the monetary benefits, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

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

8. In case, the petitioner surrenders and prays for regular bail in the learned court below, his prayer for regular bail shall be considered on it's own merit without being prejudiced by the order of this Court.

(Rajeev Ranjan Prasad, J)

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