

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52611 of 2023

Arising Out of PS. Case No.-505 Year-2022 Thana- JAHANABAD District- Jehanabad

Rajkishore Prasad Sinha S/O Ramanand Yadav R/O Village and P.O-
Paigambarpur, P.S- Kako, Distt.- Jehanabad, Posted as Niyojit Teacher,
Primary School, Kanaudi, Gram Panchayat- Muther.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. The Cabinet Vigilance Department, Patna. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the Opposite Party/s : Mr. Ajay Mishra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

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

2. Petitioner seeks bail, who is in custody since
05.01.2023 in connection with Jehanabad (Karauna O.P.) P.S.
Case No. 505 of 2022, F.I.R. dated 19.06.2022 for the offences
punishable under Sections 420, 467, 468, 471, 120-B of the
Indian Penal Code.

3. According to prosecution case, the petitioner is
alleged to have been appointed as a teacher in the year 2013 in
the Primary School, Jehanabad on the basis of forged and
fabricated certificate.

4. Learned counsel for the petitioner submits that



petitioner is innocent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and petitioner has not committed any offence as alleged in the F.I.R. and pursuant to direction given in C.W.J.C. No. 15459 of 2024 the present F.I.R. has been instituted against the petitioner and other similarly situated co-accused persons. He further submits that the petitioner has never submitted any forged document as alleged in the F.I.R. and petitioner has submitted the document which was received from the competent Board/University and petitioner has resigned from the service in the year 2015 itself before lodging of the present F.I.R. He further submits that the police after investigation submitted the charge sheet against the petitioner on 28.02.2023 and the petitioner is in judicial custody since 05.01.2023.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries one criminal antecedent other than the present one.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of



the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jehanabad in connection with Jehanabad (Karauna O.P.) P.S. Case No. 505 of 2022, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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