

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52331 of 2023

Arising Out of PS. Case No.-916 Year-2022 Thana- TURKAULIYA District- East
Champaran

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SANTOSH KUMAR Son of Rajendra Singh R/o vill.- Ratnpur, P.S.-
Banjariya, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2,Adv.

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 23-08-2023 Heard Mr. Dhannjay Kumar No. 2, learned counsel

appearing on behalf of the petitioner and Mr. Satyendra Narayan

Singh, learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Turkauliya (Banjariya) P.S. Case No. 916 of 2022,
registered for the offences punishable under Sections
420,467,468,471 of the Indian Penal Code.

3. Allegedly, the petitioner, on the basis of forged and
fabricated CTET/BTET certificate, tried to obtain the
appointment to the post Elementary Teacher.

4. Learned counsel appearing on behalf of the
petitioner submits that in fact the petitioner himself is a victim
of the circumstances as the certificate issued in his favour has



been found to be forged and fabricated in which the petitioner has not played any role. He submits that from the material it is evident that the petitioner has not obtained the appointment, rather an attempt has been made. He next submits that the petitioner undertakes that he will fully cooperate in the investigation or in the proceeding of the court. Learned counsel also submits that the other candidates against whom similar kind of FIR has been instituted, they have been allowed the privilege of anticipatory bail by different Benches of this Court.

5. On the other hand, learned counsel for the State opposed the bail application and drew the attention of this Court to para-3 of the application and submits that the petitioner bears five criminal antecedents.

6. At this juncture, learned counsel for the petitioner submits that the petitioner happens to be the son of the Mukhiya and a candidate of Ward No. 2 of Motihari Municipality, thus on account of enmity his name has been implicated in various cases, though he is on bail in all the cases.

7. Regard being had to the submissions made on behalf of the parties and considering the nature of case and the fact that the other candidates against whom similar kind of FIR has been instituted, they have been allowed the privilege of



anticipatory bail, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Turkauliya (Banjariya) P.S. Case No. 916 of 2022, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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