

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57296 of 2023

Arising Out of PS. Case No.-132 Year-2023 Thana- KALUAHI District- Madhubani

LAL BAHADUR YADAV S/O LATE DEVNARAYAN YADAV R/O
VILLAGE- TEGHARA, POST-JAFRA VIA ARER, PS. BISFI, DIST.
MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Madhuri Kumari, Adv.

For the Opposite Party/s : Mr. Nagendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 30-08-2023 Heard Ms. Madhuri Kumari, learned counsel

 appearing on behalf of the petitioner and Mr. Nagendra Prasad,

 learned A.P.P. for the State.

2. The petitioner apprehend his arrest in connection
with Kaluahi P.S. Case No. 132 of 2023, dated 19.06.2023,
corresponding to G.R. No. 1152 of 2023, registered under
Sections 420, 467, 468, 471, 120B of the Indian Penal Code.

3. As per allegation made in the F.I.R., the petitioner
was appointed as Niyojit Shikshak on the forged certificate
issued by the Bihar Sanskrit Shiksha Board, Patna in Primary
School Parmeshwary Tol, Kaluahi Block, Madhubani.

4. Learned counsel appearing on behalf of the
petitioner submits that the appointing authority is responsible



for not verifying the certificate issued by the Bihar Sanskrit Shiksha Board, Patna and as such the petitioner is innocent. However, the petitioner has been dismissed from service in the year 2023. He further submits that other similarly situated co-accused persons have been released on bail. The petitioner has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Having considered the nature of allegation made in the F.I.R. as well as the specific statement made on behalf of the petitioner that petitioner has been dismissed from service, similarly situated co-accused persons have already been released on bail by a Coordinate Bench of this Court, the learned court below is directed to verify the statement made on behalf of the petitioner that he has been dismissed from service by the competent authority. In case the petitioner is able to bring the dismissal order on record or in alternate the Court Below is directed to verify the said fact after obtaining report from the District Programme Officer (Establishment), Madhubani within a period of three weeks, till then the above named petitioner, be released on provisional bail on such terms and conditions as deem fit and proper by the Court Below, in the event of his



arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.50,000/- (Fifty thousand) with two sureties of the like amount each to the satisfaction of learned Smt. Suman Surendra, J.M., Ist Class, Madhubani in connection with Kaluahi P.S. Case No. 132 of 2023, corresponding to G.R. No. 1152 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. In case the petitioner submits the dismissal letter issued to him or in alternate, the District Programme Officer (Establishment), Madhubani report reveals that the petitioner has been dismissed from the service, the provisional bail granted to the petitioner is made absolute otherwise this order will automatically loose its force.

(Purnendu Singh, J)

pravinkumar/-

U		T	
---	--	---	--

