

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69023 of 2023

Arising Out of PS. Case No.-287 Year-2021 Thana- GOVINDPUR District- Nawada

MRITUNJAY KUMAR S/O JAGIDSH SHARMA, VILLAGE-
PRATAPPUR, P.S. ROH, DISTRICT NAWADA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Mistry, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 07-11-2023 1. Heard learned counsel for the Petitioner and
learned APP for the State

2. Petitioner apprehends his arrest in connection with
Govindpur P.S. Case No. 287 of 2021 dated 20.11.2021
registered for the offences punishable under Sections 420, 467,
468, 471 and 120(B) of the Indian Penal Code.

3. The main submissions advanced by learned
counsel for the petitioner are that as per allegation, the petitioner
succeeded in getting appointed as a *Panchayat Teacher* on the
basis of forged and fabricated documents but the said allegation
is completely false and petitioner has got no criminal antecedent
and he was appointed as a teacher, after full verification of his
educational certificates however, petitioner is ready to refund all
the emoluments received by him during his tenure of his post as



a Panchayat Teacher and two co-accused persons namely, Rinku Kumari and Laxmi Kumari carrying the similar nature of allegation have been granted anticipatory bail by a co-ordinate Bench of this Court vide orders passed in Cr. Misc. Nos. 35321 of 2022 and 35893 of 2022 respectively and the petitioner's case stands on similar footing with them.

4. Learned APP appearing for the State has no objection to the petitioner's undertaking for depositing the alleged emoluments received by him after his appointment as Panchayat Teacher.

5. Heard both the sides. Though, against this petitioner, there is serious allegation of obtaining a government job on the basis of alleged forged documents however, considering his above undertaking, a lenient approach can be taken in respect of his prayer for anticipatory bail. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Govindpur P.S. Case No. 287 of 2021, subject to the condition as laid down under Section 438(2)



of the Cr.P.C., as well as on the condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which, the court below shall be at liberty to cancel the bail-bond of the petitioner as also with condition that the petitioner shall refund the amount in twenty four monthly installments, receipt of first installment of refund shall be deposited at the time of furnishing bail-bond.

6. Needless to state that the State Officials shall provide details of the emoluments given to the petitioner within two weeks from the date of receipt of this order.

7. Deposits made by the petitioner shall be subject of the final outcome of the case.

(Shailendra Singh, J)

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