

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72793 of 2022

Arising Out of PS. Case No.-64 Year-2022 Thana- NALANDA District- Nalanda

Umesh Kumar, S/o Jabahar Jamadar R/o Ward no. 6, Village- Kachhiawan,
P.S.- Nagarnausha, Distt- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Vigilance Investigation Bureau, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anil Kumar Singh, Advocate
For the State	:	Mr. Ajay Mishra, APP
For the Vigilance	:	Mr. Arvind Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 29-04-2023 Heard Mr. Anil Kumar Singh, learned counsel appearing on behalf of the petitioner, Mr. Ajay Mishra, learned Additional Public Prosecutor for the State and Mr. Arvind Kumar, learned counsel for the Vigilance.

The petitioner apprehends his arrest in connection with Nalanda P.S. Case No. 64 of 2022, registered for the offences punishable under Sections 420, 467, 468, 471, 120-B of the Indian Penal Code.

The allegation against the petitioner is to obtain appointment on the post of Panchayat Teacher on the basis of forged and fabricated academic certificates.

It is submitted on behalf of the petitioner that the petitioner himself has been cheated at the hands of the



Institution, who had issued the academic certificates, however, before institution of the FIR, the petitioner was not given any show cause. Further submission has been made that the petitioner was not even aware with regard to the amnesty period and as such he could not take any step in this regard and on the contrary, the State officials have taken work from the petitioner till 2021 by appointing him as a Polling Officer at different places. He further submits that the other Panchayat Teachers, whose appointments were also cancelled after having found their certificates forged and fabricated, they have been allowed the privilege of anticipatory bail. Copies thereof, have been placed before this Court and the same are taken on record.

On the other hand, learned counsel for the State as well as the learned counsel for the Vigilance vehemently opposed the bail application and submit that the very appointment of the petitioner is based on forged and fabricated certificates and the complicity of the petitioner cannot be denied.

Having regard to the submissions made on behalf of the parties and considering the fact that the services of the petitioner has already been terminated and, moreover, the other persons having similarly circumstanced have been allowed the



privilege of anticipatory bail by the learned co-ordinate Benches of this Court, coupled with the fair antecedent, let the petitioner 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, Nalanda in connection with Nalanda P.S. Case No. 64 of 2022, subject to the conditions laid down in Section 438(2) Cr.P.C.

(Harish Kumar, J)

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