

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66091 of 2023

Arising Out of PS. Case No.-154 Year-2023 Thana- BANMANKHI District- Purnia

NAND KISHORE PASWAN @ NAND KISHOR PASWAN@
NANDKISHOR PASWAN S/O RAJDEV PASWAN @ RAJ DEV PASWAN
R/O RAJWADIH CHAKMAKA, P.S- JANKINAGAR, DISTT.- PURNEA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Fazle Karim, Advocate
For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 08-12-2023 Heard the parties.

2. The petitioner is apprehending arrest in connection with Banmankhi P.S. Case No. 154 of 2023 instituted under Sections 420, 467, 468, 471 and 120(B) of the Indian Penal Code, lodged on 11.04.2023 by the informant, Upendra Kumar.

3. As per the prosecution story, the petitioner is one of the so-called teacher who had come in without bearing the original documents which could have entitled him to become a teacher. In the light of CWJC No. 15459 of 2014 an inquiry took place, whereafter the fake teachers were identified, the petitioner being one of them. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that he went out of service in 2018 itself and the FIR is lodged in the



year 2013, he will already be facing the trial.

5. Learned APP on the other hand submits that he had entered the service without having the genuine certificate.

6. Taking into account the submissions put forward by the parties as also that as per the petition he is out of service, FIR has been lodged and he will be ultimately facing the trial and the petitioner does not have any criminal antecedent, this Court is inclined to extend him privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Banmankhi P.S Case No. 154 of 2023 to the satisfaction of learned A.C.J.M-1, Purnea subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his



bail bond by the Trial Court itself;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(v) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Jagdish/Adnan

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