

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65215 of 2023

Arising Out of PS. Case No.-45 Year-2023 Thana- MAHINDWARA District- Sitamarhi

Sanjay Kumar Saroj S/O Kishori Prasad Resident of Village + Post -
Tilaktajpur P.S. Runnisaidpur, District - Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devendra Kumar, Advocate

For the Opposite Party/s : Mr.Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 20-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Mahindwara P.S. Case No. 45 of 2023, registered on 17.03..2023 for the offences under Sections 420, 467, 468, 471, 120B of the Indian Penal Code.

3. As per prosecution case, the petitioner presented fake and forged certificate at the time of his appointment as Block Teacher. He failed to avail amnesty scheme, which was in vogue for certain period under the orders of this Court passed in CWJC No.15459 of 2014.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in



this case. Only allegation against the petitioner is that he used fake certificate, but there is no allegation that he fabricated the same. The petitioner filed genuine and valid documents at the time of his application and the same were verified and found to be correct by the appointing committee. Thereafter, he was issued appointment letter. Learned counsel further submits that now the petitioner has been dismissed from his service. Learned counsel further submits that no useful purpose would be served by putting the petitioner behind bar and he is ready to cooperate with the investigation and there is no possibility of tampering or doing anything of that sort. Learned counsel further submits that similarly placed persons have been granted anticipatory bail by different Coordinate Benches of this Court vide Cr. Misc. Nos. 56112 of 2022, 63710 of 2022, 69493 of 2022 and 15459 of 2023. The petitioner is having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioner has been dismissed from his service, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight



weeks from today, be released on bail, on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Sitamarhi/concerned court in connection with Mahindwara P.S. Case No. 45 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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