

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.843 of 2023

Arising Out of PS. Case No.-263 Year-2021 Thana- KHARHAGPUR District- Munger

SUDHIR YADAV Son of Late Ram Bhajju Yadav, resident of Village- Naya
Tola Matadih, P.S.- Dharhara, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Sr. Adv. Mr.Ranjit Kumar Yadav, Advocate
For the Opposite Party/s	:	Mr.Ajay Mishra, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 23-05-2023 Heard the learned senior counsel for the
petitioner and learned APP for the State.

This is an application for grant of anticipatory bail in connection with Kharagpur P.S. Case No.263 of 2021, registered for offences under Sections 420, 467, 468, 471 and 120(B) of the IPC.

The allegation is regarding the Selection Committee in question, comprising of the petitioner as one of its member, who happens to be Panchayat Secretary of Gram Panchayat, Baijalpur Block- Haveli, Kharagpur, having made selection of a candidate on the post of teacher,



who had submitted fake certificates.

The learned senior counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned senior counsel for the petitioner has further submitted that the said candidate, namely, Dipshikha has already been granted the privilege of anticipatory bail by a co-ordinate Bench of this Court and moreover, her services has already stood terminated, hence no prejudice would be caused to the prosecution, in case the petitioner is granted the privilege of anticipatory bail, who was only one of the members of Six Member Selection Committee.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact



that the services of the candidate appointed illegally has already stood terminated and moreover, the petitioner is stated to be one of the member of the Selection Committee, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the above named petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below, within a period of six weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Munger in connection with Kharagpur P.S. Case No.263 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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