

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73465 of 2022

Arising Out of PS. Case No.-16 Year-2021 Thana- LAKHNAUR District- Madhubani

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VIJAY KUMAR S/o Yugal Kishor Gupta R/o Village- Basti Jalal, P.S.-
Dighwara, Distt- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arbind Kumar Singh

For the Opposite Party/s : Mr.Shyam Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 29-04-2023 Heard learned Counsel for the petitioner and

learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Lakhanaur R. S. (O.P.) Police Station Case No. 16
of 2021, dated 03.02.2021 disclosing offences under Sections
406/409/420 of the Indian Penal Code.

The prosecution story, as per First Information
Report, is that the petitioner has obtained the appointment of
Switch Board Operator in the North Bihar Power Distribution
Company Limited on the basis forged ITI certificate. He was
appointed on contractual basis in the year 2011. Upon
verification of his ITI certificate the same was found to be
forged.

Learned counsel for the petitioner submits that the



petitioner had been working for the last 11-12 years and at no point of time it was alleged that he has submitted the forged certificate. He next submits that the North Bihar Power Distribution Company Limited has issued show cause notice to the petitioner and terminated him from services and his salary has been stopped with a condition that the petitioner would not work till further order.

Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner has already been terminated from service and the department has stopped taking work from him and the petitioner has filed a writ petition, bearing CWJC No. 930 of 2022, which according to the petitioner is still pending, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, Vijay Kumar, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 3rd Additional Chief Judicial Magistrate, Madhubani, in connection with Lakhanaur R. S. (O.P.) Police Station Case No. 16 of 2021, subject to the condition laid down



under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J)

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