

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1266 of 2023

Arising Out of PS. Case No.-33 Year-2022 Thana- BALIGAON District- Vaishali

BIR BAHADUR SINGH @ VIR BAHADUR SINGH S/O Sri Ramchandra
Singh R/O Village- Chakansor, P.O- Sukko, P.S- Patehpur, District- Vaishali

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Vigilance Department(Investigation Bureau) Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bhola Prasad, Advocate
	:	Mr. Ujjwal Kumar, Advocate
	:	Mrs. Jyoti Kumar Sinha, Advocate
For the Vigilance	:	Mr. Anil Singh, Sp. PP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 24-03-2023 Let the defect(s), if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and the learned special PP for the Vigilance Department.

Petitioner seeks regular bail in connection with Baligaon P.S. Case No.33 of 2022 registered for the offences punishable under Sections 420, 467, 468, 471, 120(B) of the Indian Penal Code.

As per the prosecution, in the light of order of this Court, it was found by District Program Officer that this



petitioner, who was appointed as a *Panchayat* teacher in 2014, forged his mark-sheet (certificate) of BETET and succeeded to get the government service on the basis of alleged forged documents.

The main submissions advanced by the learned counsel for the petitioner are that the petitioner has been terminated from his service for the alleged wrong and he has fair and clean antecedent and against him the investigation has been completed and petitioner had submitted the actual certificate of BETET and had not interpolated the certificate in any manner and the verification of the said certificate was done after almost seven years. Further submission are that the petitioner was duly appointed as *Panchayat* teacher on 24.11.2014 and he served for the relevant period but the prosecution remained silent in respect of the alleged wrong on his part. It is further submitted that in similar nature of offences in different matters, this Court has granted Anticipatory Bail to several accused persons.

Learned Special PP appearing for the Vigilance Department has opposed the bail prayer.

In view of the facts, as stated above, and mainly considering the facts that the petitioner has been terminated



from his service as submitted above and the prosecution’s case is mainly based on documentary evidence which is in the possession of prosecution and the investigation has been completed against the petitioner, in the opinion of this Court a lenient approach can be taken in respect of the petitioner’s prayer, let the petitioner 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 the concerned Court in connection with Baligaon P.S. Case No.33 of 2022.

(Shailendra Singh, J)

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