

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8086 of 2024

Arising Out of PS. Case No.-420 Year-2022 Thana- SONO District- Jamui

Sanjay Kumar Singh SON OF Onkar Nath Singh @ Omkar Nath Singh
RESIDENT OF VILLAGE- AND PO- MANER, PS- MANER, DISTT-
PATNA

... .. Petitioner/s

Versus

1. The State of Bihar
2. THE VIGILANCE INVESTIGATION BUREAU, PATNA BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranvijay Narain Singh, Advocate
For the Opposite Party/s	:	Mr. Ajay Mishra, APP
For the Vigilance	:	Mr. Arvind Kumar, Spl. PP. Vigilance Mr. Paritesh Parimal, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 21-03-2024 Heard learned counsel for the petitioner and learned
counsel for the Vigilance as also the State.

2. The petitioner is apprehending his arrest in connection with Sono P.S. Case No. 420 of 2022 for the offence under Sections 420, 467, 468, 471 and 120B of the I.P.C. lodged on 06.12.2022 by the informant, Vikash Kumar Srivastava.

3. The FIR relates to CWJC No. 15459 of 2014 in which, the High Court earlier had granted immunity to those who were in the service on the basis of fake certificate but despite the said immunity they choose not to resign and/or leave the service, inquiry took place, in which, amongst other this petitioner was found to be having been in service on the basis of



fake certificate. Accordingly, the FIR.

4. Learned counsel for the petitioner submit that he had submitted genuine degree which on inquiry has been found to be fake, he has no criminal antecedent and now he is out of the service.

5. Learned counsel appearing on behalf of the vigilance opposes the prayer stating that despite the immunity granted, he continued the service.

6. Though it is deprecable that despite the immunity granted by the Patna High Court, the petitioner choose to continue now that he has been removed, FIR lodged, will be facing the trial and has no criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail with condition.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui in connection with Sono P.S. Case No. 420 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

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

(iv) 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;

(v) 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.

8. With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

Adnan/-

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