

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.6755 of 2024**

Arising Out of PS. Case No.-75 Year-2022 Thana- TIKAPATTI District-  
Purnia

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Rakesh Paswan S/o- Dinesh Paswan Village- Ganeshpur Ps- K. Nagar Dist-  
Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Manish Kumar, Adv.

For the Opposite Party/s : Mr. Ajay Mishra, APP

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
ORAL ORDER

2      20-02-2024                      Heard learned Counsel for the petitioner and learned  
APP for the State.

2. This application, for grant of anticipatory bail, arises out of Tikapatti P.S. Case no. 75 of 2022, disclosing offences punishable under Sections 420, 467, 468, 471, 120(B) of the Indian Penal Code.

3. According to the prosecution case, the petitioner is alleged to have obtained appointment on the post of Panchayat Teacher in the Primary School, Koshikipur, Panchayat Koyli, Simra Purab, Block- Rupauli, District- Purnia, in the year 2014, on the basis of B.E.T.E.T. certificate, which, allegedly, found to be false and fabricated after due verification from the Bihar School Examination Board, Patna.

4. Learned counsel appearing for the petitioner



submits that the petitioner, who is of clean antecedent, has not committed any offence in the manner as alleged in the F.I.R., however, he has been made accused in the present case based on wrong report submitted by the vigilance. He further submits that the petitioner has never submitted any forged or fabricated document for the purpose of obtaining appointment on the post of Panchayat Teacher rather after due verification of his certificates by the competent authority, his appointment has been made on the post of Panchayat Teacher. He further submits that even if, especially for the sake of argument, the petitioner's appointment is considered to be illegal based on forged and fabricated document, but the petitioner has not been paid even a single penny, therefore, no loss has been caused to the State exchequer. Hence, petitioner may be granted the privilege of anticipatory bail as because his entire career would be jeopardized if he is sent to the judicial custody.

5. On the other hand, learned A.P.P. for the State, vehemently, opposed the prayer for anticipatory bail of the petitioner and submits that it is apparent from the record that the petitioner has obtained appointment on the post of Panchayat Teacher on the basis of false and fabricated documents and the same has been verified by the B.S.E.B. He further



submits that the irregularity in the appointment of teacher are being investigated by the Monitoring Investigation Bureau, Patna in light of the order passed in C.W.J.C. No. 1549 of 2014 in which the petitioner and several persons like him, who have got their appointment on the post of Teacher based on forged and fake certificates, are being prosecuted in order to prevent the loss of State exchequer. Hence, the petitioner does not deserve to be extended the benefit of privilege of anticipatory bail.

6. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner is named in the F.I.R. and his certificates have been found to be false and fabricated, during investigation, on which he has obtained employment on the post of Panchayat Teacher, this Court does not find it a fit case for grant of privilege of anticipatory bail to the petitioner.

7. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J)

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