

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11854 of 2024

Arising Out of PS. Case No.-24 Year-2023 Thana- ROH District- Nawada

Sanjay Kumar S/O Kailash Paswan R/O Village- Dewanpura, P.S- Roh,
Distt.- Nawada. Petitioner/S

Versus

The State Of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhas Ranjan, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 22-02-2024 Heard Mr. Prabhas Ranjan, learned counsel

appearing on behalf of the petitioner and Mr. Ajay Mishra,

learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Roh P.S. Case No. 24 of 2023 registered under Sections
467, 468, 471, 420 and 12(B) of the Indian Penal Code.

3. As per the allegation made in the FIR, the petitioner
has been accused of obtaining employment as a primary teacher
on the basis of a fake certificate and has been made accused on
the basis of vigilance enquiry.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner has been terminated from
the service and other similarly situated teachers, against whom
the allegation has been made that they, by producing fake
certificates, obtained the Government service as Niyojit teacher,
have already been granted bail. Learned counsel further submits

that considering the fact that the petitioner has already been terminated from his service, may also be considered to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the rival submission made on behalf of the parties, as well as, the fact that petitioner has been terminated from the service the District Court is directed to verify as to whether the petitioner has been terminated from service and if the petitioner files an affidavit to the effect that he has been terminated from service and in support of the same he produces the document / evidence duly issued by the competent authority, then in that case, the petitioner is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Roh P.S. Case No. 24 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C

(Purnendu Singh, J.)

Ashishsingh/-

U		T	
---	--	---	--