

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13734 of 2024**

Arising Out of PS. Case No.-161 Year-2022 Thana- JANKINAGAR District- Purnia

Santosh Kumar SON OF DEVNANDAN YADAV Village -Haraili Thana  
-Udakishunganj District -Madhepura

... .. Petitioner/s

Versus

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

... .. Opposite Party/s

**Appearance :**

|                            |                                |
|----------------------------|--------------------------------|
| For the Petitioner/s :     | Mr.Ram Prawesh Kumar, Advocate |
| For the Opposite Party/s : | Mr.Pawan Kumar Chaurasia, APP  |
| For the Vigilance :        | Mr. Arvind Kumar, Advocate     |

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      12-03-2024                      Heard learned counsel for the petitioner, State as also  
learned Special P.P. for the Vigilance.

2. The petitioner is apprehending arrest in connection with Jankinagar P.S. Case No. 161 of 2022 instituted under Sections 166, 217, 420, 467, 468, 471, 120(B) of the Indian Penal Code lodged on 9.7.2022 by the informant, Mithilesh Kumar Jaiswal.

3. As per the prosecution story, pursuant to the Patna High Court's order in C.W.J.C. No. 15459 of 2014, the documents of the appointed Teachers were checked in which the documents produced by the petitioner were found to be fake. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that he



had appeared in the examination and was granted certificate, subsequently, it turned down to be a fake certificate for which he has already suffered by having been dismissed from his service and FIR lodged, will be facing the trial.

5. Learned Special P.P., Vigilance on the other hand submits that despite amnesty granted by the Patna High Court whose who continued are facing music. It is deplorable that despite amnesty granted by the Patna High Court, the accused persons stuck to their job little realizing that ultimately they will be booked.

6. Considering the fact that now he has already been dismissed from service, FIR lodged, will have to face the trial, do not have criminal antecedent, this Court is inclined to extend him privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Jankinagar P.S. Case No. 161 of 2022 to the satisfaction of learned Chief Judicial Magistrate, Purnea subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.



(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 co-operate in the investigation and make himself available to the police as and when required;

(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.

**(Rajiv Roy, J)**

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