

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16333 of 2024

Arising Out of PS. Case No.-474 Year-2023 Thana- DALSINGHSARAI District- Samastipur

Akhileshwar Kumar @ Akhilesh Singh Son of Ramanand Singh Village-
Paharpur, P.S Bibhutipur, District Samastipur

... .. Petitioner/s

Versus

The Stte of Bihar through S.P. Vigilance, Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Vijay Anand, Advocate
For the Opposite Party/s :	Mr.Arvind Kumar, Spl. PP Vigilance
	Mr. Paritosh Parimal, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 14-03-2024 Heard learned counsel for the petitioner and learned
Spl. P.P. for the Vigilance.

2. The petitioner apprehends his arrest in connection with Dalsinghsarai P.S. Case No. 474 of 2023 registered under Sections 420, 407, 468, 471 and 120B of the Indian Penal Code lodged on 29.11.2023 by the informant, Goutam Krishna.

3. As per the prosecution story, the informant has alleged that pursuant to the order passed in Public interest Litigation in CWJC No. 15459 of 2014, after the period of immunity was over, the verification of record took place whereafter it was found that this petitioner is also in service on the basis of forged documents.

4. Learned counsel for the petitioner submits that he



had appeared in T.E.T. examination and certificate so granted was submitted, it turned out to be fake and in that background, he has already resigned in the year 2019 itself but he is now facing this criminal case in the year 2023.

5. Learned Spl. P.P. for the Vigilance opposes the prayer for bail stating that the document was found to be forged.

6. Taking into account the fact that the FIR has been lodged, he will be facing the trial, the fact remains that he has resigned in the year 2019 putting him behind the bar will serve no purpose, this Court is inclined to grant him privilege of anticipatory bail.

7. Let the petitioner, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM-1st Dalsingsarai in connection with Dalsingsarai P.S. Case No. 474 of 2023, subject to condition 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/her bail bond by the Trial court itself;

(iii) 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 his bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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