

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31689 of 2024

Arising Out of PS. Case No.-44 Year-2023 Thana- ANDHRATHARHI District- Madhubani

Munnikant Choudhary son of Yogendra Chodhary Village- Andhara Ps-
Andharathadhi Dist- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Police Inspector Cum Employed Teacher Investigator, Vigilance, Buro
Pokia Camp Madhubani Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Chandra Bhushan Singh, Adv.
For the Opposite Party/s	:	Mr. Ajay Mishra, Adv.
For the Vigilance Investigation Bureau	:	Mr. Arvind Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 28-05-2024 Heard Mr. Chandra Bhushan Singh, learned counsel

appearing on behalf of the petitioner and Mr. Arvind Kumar,

the advocate representing the Vigilance Investigation Bureau.

2. The petitioner apprehends his arrest in connection

with Andharthari P.S. Case No. 44 of 2023, registered for the

offences punishable under Sections 420, 467, 468, 471 &

120(B) of the Indian Penal Code.

3. The allegation against the petitioner is of obtaining

the appointment as Panchayat teacher on the basis of forged and

fabricated experience certificate duly self-attested by him.

4. Learned counsel appearing on behalf of the

petitioner contended that the petitioner was appointed way back



in the year 2010 after proper verification of all the documents and at no point of time any certificate of the petitioner has been found forged. Pursuant to the direction of the Hon'ble Court an enquiry has been conducted and without any opportunity afforded to the petitioner, his experience certificate has been declared forged. It is further contended that now the petitioner has already appropriately punished and he has been terminated from the service. It is next contended the petitioner bears fair antecedent and he undertakes that he will fully cooperate in the investigation and ensure his presence as and when required before the investigating officer.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and referring to the counter affidavit submitted that the enquiry has been conducted pursuant to the order of the Hon'ble Court in CWJC No. 15459 of 2014. The certificate of the petitioner was verified from the District Education Officer (Literacy Section, Madhubani); and on being found forged the present FIR has been instituted. It is further submitted that the investigation is still going on.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioner was appointed way back in the year 2010 and now he has



already been terminated from his service as has been stated by the learned counsel for the petitioner at Bar, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Class Judicial Magistrate, Jhanjharpur, Madhubani in connection with Andharthari P.S. Case No. 44 of 2023, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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