

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35880 of 2024

Arising Out of PS. Case No.-475 Year-2023 Thana- DALSINGHSARAI District- Samastipur

Raja Ram Mahto @ Rajaram Mahto @ Raj Ram Mahto Son of Ramlakhan
Mahto R/o Ward No. 08, Bhagwanpur Desua, P.S.- Ujiyarpur, Dist.-
Samastipur, Bihar - 848134

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Secretary, Bihar School Examination Board, Patna Bihar
3. The Dy. S.P Vigilance, Investigation Bureau, Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Piyush Kumar Pandey, Advocate
For BSEB	:	Mr.Ankit Katriar, Advocate
For the Vigilance	:	Mr.Arvind Kumar, (Spl. P.P.Vigilance)
	:	Mr.Paritosh Parimal, Advocate
For the Opposite Party/s	:	Mr.Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 07-08-2024 Heard Mr.Piyush Kumar Pandey, learned counsel

for the petitioner, Mr.Arvind Kumar, learned Spl.P.P. for the

Vigilance, Mr.Ankit Katriar, learned counsel for the BSEB

and Mr.Vinod Shanker Modi, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Dalsinghsarai P.S.Case No.475 of 2023, (GR
No.1038 of 2023), FIR dated 29.11.2023 registered for the
offences punishable under Sections 420,467,468,471,120B of
IPC.



3. Allegation against the petitioner is that he got job of teacher on the basis of forged documents.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. Further submits that pursuant to the order passed in CWJC No.15459 of 2014(PIL), the present FIR has been instituted against the petitioner and other similarly situated persons. As per FIR, allegation against the petitioner is that he submitted false matriculation certificate for obtaining the job in question. Learned counsel for the petitioner submits that in fact the petitioner has submitted all the documents which he has received from the competent Board/University at the time of joining and after the present FIR, he has been terminated from the service w.e.f. 23.12.2023.

5. Learned counsel for the Vigilance as well as other opposite parties, have vehemently opposed the prayer for anticipatory bail of the petitioner and submits that the petitioner has obtained the job on the basis of forged and fabricated documents and which was found during course of investigation and the petitioner has submitted the false certificates.



6. Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Dalsinghsarai, Samastipur in connection with Dalsinghsarai P.S.Case No.475 of 2023, (GR No.1038 of 2023), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed



his/her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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