

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43496 of 2024

Arising Out of PS. Case No.-985 Year-2022 Thana- MOTIHARI TOWN District- East
Champaran

Sanjay Manikant Tiwary @ Sanjay Kant Mani Tiwari S/O Basudeo Mani
Tiwary R/O Vill- Areraj, P.S- Govindganj, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan, Advocate

For the State : Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-07-2024 Heard Mr. Yashraj Bardhan, learned counsel for the

petitioner and Mr. Dinesh Singh, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Motihari Town P.S. Case No. 985 of 2022, F.I.R. dated 26.12.2022 for the offences punishable under Sections 419, 420, 467, 468, 471, 120(B) and 34 of the Indian Penal Code.

3. According to prosecution case, petitioner is said to have got appointment on the basis of the forged and fabricated certificate of intermediate.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that from a bare perusal of the FIR it appears that the petitioner has obtained his appointment on the post of Accountant-cum-IT Assistant on



the basis of the false and fabricated academic certificate which was submitted at the time of his appointment. He further submits that the petitioner has submitted the original certificate which he obtained from the competent board/university and in fact the petitioner has obtained the said degree from the Central Institute of Open Schooling, Uttar Pradesh. He further submits that Anjali Kumari & six others have already been granted anticipatory bail by this Court vide order dated 10.10.2023 passed in Cr. Misc. No. 27213 of 2023.

5. Learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and the fact that petitioner having clean antecedent and he has submitted the original certificate which he had obtained from the competent board/university and other co-accused persons have already been granted anticipatory bail by this Court, let the petitioner, above named, in the event of 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 the learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Motihari Town



P.S. Case No. 985 of 2022, 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 absence on two consecutive dates without sufficient reason, his 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 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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