

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75603 of 2024

Arising Out of PS. Case No.-200 Year-2023 Thana- NAGARNAUSA District- Nalanda

Sumit Kumar, Son of Maheshwar Pandit, Resident of Village- Bhadru Bigha,
Police Station -Nagarnausa, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr.Ajay Mishra, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-11-2024 None appears on behalf of the petitioner, however,

learned APP for the State are present.

2. The petitioner has preferred the present Criminal Miscellaneous Application for grant of anticipatory bail in connection with Nagarnausa P.S. Case No. 200 of 2023 registered on 05.12.2023 for the offences punishable under Sections 420, 467, 468, 471 and 120B of the Indian Penal Code.

3. As per the prosecution, the petitioner obtained an appointment on the post of Prakhand Shikshak on the basis of a forged document.

4. It transpires from the pleadings that the petitioner submitted his resignation before the headmaster but he refused and returned the resignation letter to the petitioner. It has also



been pleaded that the petitioner is ready to resign from his service and after lodging the FIR, he is not working/teaching as a teacher in the school. It has been further pleaded that the petitioner is ready to furnish the surety to the satisfaction of the Court.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that after the order passed by this Hon'ble Court in CWJC No. 15459 of 2014, the amnesty scheme has been published twice, but the petitioner did not opt for the same and he continued to receive his salary.

6. In this background, this Court hereby grants anticipatory bail to the petitioner in the event of surrender before the Trial Court within a period of 10 weeks from today, subject to refund of the entire amount by the petitioner received towards salary from the date of amnesty period to the date of his alleged resignation. The petitioner shall visit the District Education Officer, Nalanda who shall provide him a certificate showing how much amount he has to refund. The petitioner shall not be arrested in connection with the present matter for ten weeks from today. The trial Court on being satisfied that the petitioner has returned the entire amount to the State through the District Education Officer, shall release him on bail within the



said period, on furnishing bail bond of ₹30000/- (thirty thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Hilsa (Nalanda) in connection with Nagarnausa P.S. Case No. 200 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J)

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