

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76938 of 2023

Arising Out of PS. Case No.-315 Year-2021 Thana- RANIGANJ District- Araria

Ramesh Mandal @ Ramesh Kumar Mandal S/O Yamun Mandal R/O Village-
Belouri, P.S- Sadar (Mufasil), Distt.- Purnea.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

12 13-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Raniganj P.S. Case No. 315 of 2021, registered on 25.10.2021, for the alleged offences under Sections 419, 420, 467, 468, 471 and 120(B) of the Indian Penal Code.

03. As per prosecution case, one Nitish Kumar made a complaint against selection of the petitioner as *Panchayat* Teacher using the documents of said Nitish Kumar. It is further said that Nitish Kumar was already selected in *Pipra Panchayat* of *Banmankhi* Block, *District-Purnea* and the petitioner impersonated as Nitish Kumar and making forgery in the documents, got the job.



04. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person or possession of the petitioner. From the whole occurrence, it is apparent that the petitioner has no role and the whole story has been concocted by Nitish Kumar. The petitioner has never applied for any post of teacher. Only allegation against the petitioner is that his photo was found to be fixed on CTET certificate of the candidate Nitish Kumar along with Aadhar Card of the petitioner. But the photograph and Aadhar Card of the petitioner were misused by Nitish Kumar. Another co-accused, the *Panchayat Secretary*, has been granted anticipatory bail vide order dated 11.08.2023 passed in Criminal Misc. No. 49312 of 2023. Learned counsel further submits that the petitioner has not applied for any job and he did not join the job. The petitioner is having clean antecedent.

05. Learned APP for the State vehemently opposes the submission made on behalf of the petitioner. Learned APP submits that involvement of the petitioner is apparent from the facts of the case. Why the Aadhar Card and photograph of the petitioner would be used in applying for a vacancy of teacher when document of Nitish Kumar has been produced in support



of claim? It shows the petitioner was involved and tried to take advantage of documents of other person for getting the employment.

06. Having regard to the facts and circumstances of the case, I do not think it is a fit case for grant of anticipatory bail. Hence, prayer for anticipatory bail of the petitioner is hereby **rejected**.

(Arun Kumar Jha, J)

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