

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74352 of 2023

Arising Out of PS. Case No.-468 Year-2023 Thana- KAUWAKOL District- Nawada

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UMESH NATH PASWAN Son of Barho Paswan Resident of Village -
Nawadih, P.S.- Rupow, District - Nawadah.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Ajay Mishra

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 05-03-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Kowakol Police Station Case No. 468 of 2023, dated 27.07.2023, disclosing offences under Sections 467/468/471/420/120-B of the Indian Penal Code.
3. The allegation against the petitioner is that he obtained appointment of teacher on the basis of fake teachers training certificate.
4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case and he has not committed any offence in the manner alleged. The teachers training certificate was granted to



the petitioner by the training institute from where he has completed his training course. He next submits that the petitioner was not aware that the certificate granted by the institute was fake. However, the petitioner has resigned from the post of teacher on 20.07.2023 and the letter of resignation has been annexed at Annexure-P/1 to the supplementary affidavit.

5. On the other hand, learned counsel for the State vehemently opposes the prayer for bail and submits that though the petitioner has resigned from the post of teacher, but he has not submitted his resignation during the amnesty period granted by this Court while hearing PIL matter. The vigilance enquiry regarding verification of the certificates were initiated on the basis of direction issued by this Court in CWJC No. 15459 of 2014.
6. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner has now resigned from the post of teacher and the allegation against the petitioner is based upon documents for which custodial interrogation may not be necessary, I am inclined to grant the petitioner privilege of anticipatory bail.



7. This application is, accordingly, allowed.
8. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, 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 Judicial Magistrate 1st Class, Nawada, in connection with Kowakol Police Station Case No. 468 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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