

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78323 of 2024**

Arising Out of PS. Case No.-327 Year-2022 Thana- RUPAULI District- Purnia

Raj Kishore Paswan @ Raj Kishor Paswan S/O Shukdeo Paswan R/o Bharosa Singh Tola, Kadwa, P.S.- Dholbajja, Distt- Bhagalpur, Niyojit Panchayat Teacher, Primary School, Navtoliya, Panchayat- Nathpur, P.S and Block-Rupauli (Mohammadpur O.P.), Distt.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh, Adv.
For the Opposite Party/s : Mr. Ajay Mishra, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 03-12-2024 Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Rupauli (Mohanpur O.P.) Police Station Case No. 327 of 2022, disclosing offences under Sections 420, 467, 468, 471, and 120 (B) of the Indian Penal Code.

3. The prosecution case, as per the First Information Report, is that the petitioner obtained the appointment as Panchayat Teacher on the basis of forged B.E.T.E.T. certificate.

4. Learned Counsel for the petitioner submits that petitioner was appointed on 14.11.2014 and was terminated on 13.02.2018, prior to institution of the F.I.R., which has been lodged on 13.11.2022. He further submits that during his service period, the



petitioner did not get any salary. He next submits that in C.W.J.C. No. 15459 of 2014, this Court in P.I.L. had given an opportunity to the teachers to resign before the inquiry is conducted but the petitioner was already terminated and was not aware about the direction given by this Court.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner has already been terminated in the year 2018 and the allegation against him is based on documentary evidence for which custodial interrogation may not be necessary, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. 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) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Purnea in connection with Rupauli (Mohanpur O.P.) Police Station Case No. 327 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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