

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78069 of 2023

Arising Out of PS. Case No.-351 Year-2023 Thana- GOPALPUR District- Bhagalpur

JAY PRAKASH MANDAL Son of Payare Prasad Mandal @ Pyarelal Mandal
R/o vill - Tapua tola, P.O. and P.S. - Chausa, Distt. - Madhepura

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivnandan Sah, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 07-03-2024

Heard the parties.

2. The petitioner is apprehending his arrest in connection with Gopalpur (O.P.) Rangara P.S. Case No. 351 of 2023 for the offence under sections 420, 467, 468, 471, 120(B) of the I.P.C. lodged on 21.07.2023 by the informant, Ishwar Choudhry.

3. As per the prosecution story, the informant had alleged that the petitioner was serving as Block Teacher at Middle School Bhim Das Tola and the credentials were checked in the light of High Court's order in CWJC No. 15459 of 2014. When it was found that the certificate/marksheet of the trained teacher provided by him is fake, the FIR.

4. Learned counsel for the petitioner submits that he had pursued the study but the institute gave the wrong



information and in that background, he has already put in his paper which has been brought on record by way of supplementary affidavit.

5. Learned APP opposes the prayer.

6. Though FIR has been lodged on the basis of fake document, subsequently, he has resigned, FIR lodged, he will be facing the trial, do not have criminal antecedent and keeping him in jail will serve no purpose, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned ACJM, Nawgachhiya, in connection with Gopalpur (O.P.) Rangara P.S. Case No. 351 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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