

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81627 of 2023

Arising Out of PS. Case No.-286 Year-2022 Thana- MOHAMMADPUR District- Gopalganj

Shambhu Singh Son Of Late Dharmraj Singh Resident Of Village- Pipra,
Police Station- Sidhwaliya, District- Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Police Inspector-Cum-Assistant Engineer, Vigilance, Investigation Bureau, Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Lokesh Kumar Singh, Adv.
For the Opposite Party/s :	Mr. Shailendra Kumar, APP.
For Vigilance Department:	Mr. Anil Singh, Spl. PP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-01-2024 Heard learned counsel for the petitioner, the learned A.P.P. for the State, learned counsel for the informant as well as learned Standing counsel for the Vigilance Department.

2. Petitioner apprehends his arrest in connection with Mohammadpur dated 25.11.2022, registered for the offence punishable u/s 420, 467, 468, 471 and 120(B) of the I.P.C., pending in the court of learned Additional Chief Judicial Magistrate-VII, Gopalganj.

3. As per the F.I.R., prosecution case, in short, is that based on forged paper relating to BETET mark-sheet Panchayat Teacher, petitioner secured employment of Panchayat Teacher in Panchayatraj Khorampur Khurd.



4. Learned counsel for the petitioner submits that the petitioner is quite innocent and has been falsely implicated in this. During the course of investigation, the name of the petitioner has been dragged in this case without any material. Petitioner was working as Panchayat Secretary and being holding the post of Panchayat Secretary, he has issued appointment letter after following due procedure of appointment, there is no material against the petitioner. The allegations levelled against the petitioner is general and omnibus in nature.

5. Per contra, learned APP for the State and learned Standing Counsel for the Vigilance Department vehemently opposed the bail petition submitted that the panel is not only recommending panel, but it is an appointing panel. In this respect, he drew my attention towards Rule 9 (iv) of the Bihar Panchayat Primary Teachers (Appointment and Service Conditions) Rules, 2006. My attention has also been drawn towards Rule 11 which entrusts duty upon the Panchayat Teacher, who admittedly is the petitioner, to enquire into the authenticity and validity of the certificates produced by the candidates the allegations levelled against the petitioner is serious in nature, hence he does not deserve anticipatory bail.



6. Considering the facts and circumstances of case, I am not inclined to enlarge the petitioners on bail. The prayer for bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

annpurna/-

U		T	
---	--	---	--

