

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2778 of 2024

Arising Out of PS. Case No.-285 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	:	Mr. Lokesh Kumar Singh, Advocate
For the State	:	Mr. Shailendra Kumar, APP
For the Vigilance	:	Mr. Arvind Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 07-03-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 420, 467, 468, 471 and 120B of the Indian Penal Code.

3. As per prosecution case, this petitioner was working as Panchayat Secretary of Parsauni Panchayat and appointed some of the Panchayat teachers on the basis of fake and forged certificates.

4. It is submitted by learned counsel appearing on behalf of the petitioner that appointment of the alleged teachers was made by a Committee constituting seven members, out of which petitioner was one of the members. It is next submitted



that was a collective decision and not an individual decision. At the relevant time, petitioner had no other mechanism to verify the papers submitted by the candidates and on the basis of the certificates submitted by the candidates, they were selected and as such, the petitioner cannot be held solely responsible for the alleged forgery. Moreover, the petitioner has already retired in the year 2015 and is suffering from various old age diseased.

5. On the other hand, learned A.P.P. for the State and learned counsel appearing on behalf of the Vigilance have vehemently opposed the bail application on behalf of the petitioner and submitted that petitioner, being Panchayat Secretary, was solely responsible for verification of the documents. It is next submitted that the petitioner as also got two criminal antecedents of similar nature.

6. Considering the aforesaid facts and circumstances, nature of accusation and criminal antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is rejected.

(Prabhat Kumar Singh, J)

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