

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.427 of 2024

Arising Out of PS. Case No.-167 Year-2023 Thana- GHOGHARDIHA District- Madhubani

Abhay Bharti, son of Darpi Yadav, Village- Dudhaila, P.O.- Kukurdaura, P.S.- Andhramath, District- Madhubani, Presently Posted As Niyojit Prakhand Teacher At Utkramit Madhya Vidyalaya, Garwa, Block- Ghoghardiha, District- Madhubani.

... .. Petitioner

Versus

1. The State of Bihar
 2. The Department of Vigilance, Niyojit Teacher Verification Cell, Patna, Bihar
- Opposite Party

Appearance :

For the Petitioner	:	Mr.Jitendra Bharti, Advocate
For the Vigilance	:	Mr.Arvind Kumar, Spl.PP
		Mr.Paritosh Parimal, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 19-03-2024 Heard learned counsel for the petitioner and learned Special P.P. for the Vigilance.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Ghoghardiha P.S. Case No. 167 of 2023 registered for the offences punishable under Sections 420, 467, 468, 471 and 120-B of the Indian Penal Code. Petitioner has one criminal antecedent in which he is on bail, as stated in paragraph '3' of the application.

3. Allegation against the petitioner is to obtain the job of *Prakhand* teacher on the basis of forged experience certificate.



4. Learned counsel appearing on behalf of the petitioner submitted that petitioner has been falsely implicated in this case. Learned counsel submits that while approaching the appellate authority of the Education Department, the concerned authority set-aside the termination order and directed for reinstatement of the petitioner finding his certificate as genuine and in mechanical manner under the garb of order as passed in PIL, i.e. C.W.J.C. No. 15459/2014, the present F.I.R. was lodged against the petitioner for same issue which has already been settled by a court of law.

5. Learned counsel for the Vigilance opposed the submission made on behalf of the petitioner. Learned counsel submits that experience certificate of the petitioner was sent to the concerned authority, which reported that it was verified and found not correct. However, learned counsel is not aware about any earlier case lodged against the petitioner regarding forged certificate in issue.

6. In view of the aforesaid facts and circumstances of the case as the present F.I.R. appears to be lodged



regarding same document which held genuine by Educational Tribunal, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from today, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate - 1st Class, Jhanjharpur, Madhubani in connection with Ghoghardiha P.S. Case No. 167 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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