

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28898 of 2025

Arising Out of PS. Case No.-249 Year-2024 Thana- GOVINDGANJ District- East
Champaran

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Nitesh Kumar Tiwari S/o Rabindra Nath Tiwary R/o Rampurwa, P.O.-
Rampurwa Bazar, P.S.- Govind Ganj, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India, Department of Post, India
3. The Inspector of Post, West Subdivision Motihari, 845401

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Subodh Kumar Mishra, Advocate
For the State	:	Mr. Satyendra Narayan Singh, A.P.P.
For the U.O.I.	:	Mr. Manoj Kumar Singh, C.G.C.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 16-07-2025 Heard Mr. Subodh Kumar Mishra, learned counsel

for the petitioner, Mr. Manoj Kumar Singh, learned counsel for
the Union of India and Mr. Satyendra Narayan Singh, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Govindganj P.S. Case No. 249 of 2024, F.I.R.
dated 20.06.2024 for the offences punishable under Sections
420, 467, 468, 471, 120B/34 of the Indian Penal Code.

3. According to prosecution case, the petitioner
applied for the post of *Gramin Dak Sewak* at Shreya Branch
Post Office using a forged marks sheet or certificate. It is
alleged that the petitioner attempted to secure the appointment



by dishonest means, thereby failing to maintain absolute integrity.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. As per allegation in the F.I.R., petitioner had applied for the engagement of post of *Gramin Dak Sewak* in the Postal Department and the petitioner had produced the forged mark sheet as well as forged certificated to get appointment in the post of *Gramin Dak Sewak* in the Postal Department. Learned counsel for the petitioner further submits that the petitioner has produced the all original papers (Certificate) which he has received from the competent Board/University and the Department without verifying the same from the concerned Board/University, has instituted the present F.I.R. against the petitioner.

5. The learned counsel for the Union of India and learned Additional Public Prosecutor for the State, on the other hand, have vehemently opposed the prayer for bail of the petitioner and submits that the petitioner has intentionally submit the forged certificates.

6. Considering the aforesaid facts that the petitioner has clean antecedent, he has submitted the original certificate



which he has received from the competent Board/University and he has not joined the post in question as yet, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Govind Ganj P.S. Case No. 249 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure /Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at



any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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