

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27928 of 2025

Arising Out of PS. Case No.-100 Year-2023 Thana- LAUKAHI District- Madhubani

Shobha Lal Paswan S/o Late Ramfal Paswan At present R/o vill - Stadium road Madhubani, P.S. - Madhubani, Distt.- Madhubani Present Address S/o Late Ramfal Paswan, R/o vill - Mansapur, P.S.- Laukahi, Distt. - Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vigilance Department Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Gagan Deo Yadav, Advocate Mr. Ravi Prakash, Advocate Mr. Rajesh Kumar, Advocate
For the State	:	Mr. Ajay Mishra, APP
For the Vigilance	:	Mr. Arvind Kumar, Advocate Mr. Paritosh Parimal, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 23-07-2025 Heard learned counsel appearing on behalf of the petitioner, learned APP appearing on behalf of the State and learned counsel appearing on behalf of the Vigilance.

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

3. As per prosecution case, it is alleged that the experience certificate submitted by one Sushma Kumari, was issued by this petitioner who at the relevant time was working as Block Education Officer and the same was found to be forged and fabricated.



4. It is submitted by learned counsel appearing on behalf of the petitioner and that petitioner is quite innocent and has committed no offence. Petitioner has falsely been implicated in this case merely because at the relevant time, he was posted as the Block Education Officer.

5. On the other hand, learned APP appearing on behalf of the State and learned counsel appearing on behalf of the Vigilance have vehemently opposed the prayer for grant of anticipatory bail to the petitioner. It is submitted that during investigation, it has come that co-accused Sushma Kumari had got herself illegally appointed at the post of Niyojit Teacher in the year 2008 on the basis of forged and fabricated experience certificates and worked since then till the date of lodging of the present F.I.R. i.e. on 14.04.2023 and thus had drawn illegal salary for the last 15 years and caused illegal loss to the State Exchequer. This petitioner, who was posted as the Block Education Officer, Laukahi, District- Madhubani and Ex Officio Committee Member of Prakhand Shikshak Niyojan Samiti, Laukahi, District- Madhubani was responsible for publication of final merit list which was published with his signature. According to the Bihar Nagar Nikay Prarambhik Shikshak Niyamwali, 2006,



this petitioner was ought to have verified the certificates and details mentioned in the merit list. On the basis of that very merit list, the main accused, namely Sushma Kumari, got illegally appointed as Niyojit Teacher. It is further submitted that due to the aforesaid illegalities, a more competent and *bona fide* teacher could not be appointed and the poor and needy students were deprived of quality education. Petitioner has got one criminal antecedent of similar nature.

6. Considering the facts and circumstances of the case, nature of accusation and the fact that petitioner has got one criminal antecedent of similar nature, the prayer for grant of anticipatory bail to the petitioner is rejected.

(Prabhat Kumar Singh, J)

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