

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31048 of 2025

Arising Out of PS. Case No.-10 Year-2025 Thana- SANGRAMPUR District- East
Champaran

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Kundan Kumar S/o Subhash Chandra Tiwari Resident of Village - Sarottar,
P.S. - Dumariyaghat, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar, Adv.

For the Opposite Party/s : Mr. Pushpa Sinha.1, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 20-05-2025 Heard the learned Advocate for the petitioner, learned
Advocate for the Vigilance and the learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Sangrampur P.S. Case No. 10 of 2025, registered for the
offences punishable under Sections 420, 467, 468, 471 and
120(B) of the Indian Penal Code.

3. In compliance with the order of this Court in CWJC
No. 15459 of 2014, an enquiry was conducted with respect to
mass scale irregularity, as also the educational certificate and
testimonials of duly appointed Panchayat Teachers. In course of
verification at the hands of the Bihar School Examination
Board, Patna, the BETET certificate of the petitioner was found
to be forged and fabricated, leading to institution of the FIR.

4. Learned Advocate for the petitioner contended that



the petitioner was duly appointed on the post of Panchayat Teacher long back in the year 2013, after proper verification of all the certificates. In fact, the petitioner is himself a victim of the circumstances, inasmuch as, before institution of the FIR, the petitioner has not been given any opportunity of being heard or served with a notice. Moreover, on being found the certificate of the petitioner forged and fabricated, the petitioner was ousted from the service and since then the petitioner is neither working on the post of Panchayat Teacher nor receiving any remuneration and thus, he has sufficiently been punished. The petitioner is a man of fair antecedent and he undertakes that he will fully co-operate in the investigation or in the proceeding of the Court.

5. On the other hand, learned counsel for the State and the Vigilance opposed the pre-arrest bail application and submits that the complicity of the petitioner is writ large that on account of forged and fabricated certificate, he obtained the appointment on the post of Panchayat Teacher and later on, this fact has been corroborated in course of enquiry conducted by the Bihar School Examination Board, Patna.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioner



has already been dispensed with the services and now he has not been allowed to work and not getting any remuneration, coupled with the fair antecedent, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Sikarhana at Dhaka, East Champaran, Motihari in connection with Sangrampur P.S. Case No. 10 of 2025, subject to the conditions laid down in Section 482(2) Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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