

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75919 of 2025

Arising Out of PS. Case No.-140 Year-2021 Thana- HASANGANJ District- Katihar

1. Reeta Devi @ Rita Devi Wife of Surya Mohan Jha Resident of Village Ramnagar Banshi, P.S. - Hasanganj, District - Katihar.
2. Nasima Khatoon Wife of Md. Latif Resident of Village - Nayatola Hassanganj, P.S. - Hasanganj, District - Katihar.
3. Khurshid Alam Son of Late Abdul Manan Resident of Village - Hathiyadiyara Rampur, P.S. - Muffasil, District - Katihar.
4. Pradeep Mandal @ Pradeep Kumar Mandal Son of Laxminarayan Mandal R/o Mohalla - Shivji Colony Hridyaganj, P.S. - Katihar Sahayak, Dist. - Katihar.

... .. Petitioner/s

Versus

The State of Bihar the Vigilance Department, Bihar. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate

For the Opposite Party/s : Mr. Arvind Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-11-2025 Heard Mr. Bimal Kumar, learned counsel for the petitioners and Mr. Arvind Kumar, learned counsel for the Vigilance.

2. The petitioners are apprehending their arrest in connection with Hasanganj P.S. Case No. 140 of 2021, F.I.R. dated 31.12.2021 for the offences punishable under Sections 420, 467, 468, 471 and 120(B) of the Indian Penal Code.

3. According to prosecution case, Suman Kumar has been appointed on compassionate ground but irregularities have been found in his documents which was duly verified by the



selection committee before his appointment.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. Pursuant to the direction passed in CWJC No. 15459 of 2014 the Vigilance has instituted the present case. He further submits that initially the petitioners were not named in the F.I.R and their name have been transpired during investigation and it has come during investigation that the petitioners being the members of the selection committee have appointed persons whose certificates were found to be forged. He further submits that being the Chairman and members of the selection committee they have not committed any irregularities in the appointment of Suman Kumar because his appointment was on compassionate ground and on the basis of the recommendation of the District Magistrate and the petitioners have no role in the present occurrence and apart from that the beneficiary of the present case, namely, Suman Kumar has been granted the privilege of anticipatory bail by this Court vide order dated 07.11.2022 passed in Cr. Misc. No. 26564 of 2022.

5. Learned counsel for the Vigilance has vehemently opposed the prayer for bail of the petitioners.



6. Considering the aforesaid facts and circumstances that the petitioners have clean antecedent, beneficiary of the present case is Suman Kumar who has been granted anticipatory bail by this Court and the appointment in question was compassionate appointment and hence, the petitioners have no role in the present occurrence, let the petitioners, above named, in the event of their 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) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Katihar in connection with Hasanganj P.S. Case No. 140 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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