

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81826 of 2024

Arising Out of PS. Case No.-572 Year-2022 Thana- UDWANTNAGAR District- Bhojpur

Santosh Kumar Keshari Son of Late Roop Lal Sah R/O- Morath, P.S-
Udwanthnagar, Dist-Bhojpur Ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Umesh Kumar Mishra, Advocate
For the Vigilance	:	Mr. Arvind Kumar, Advocate
For the State	:	Mr. Ajay Mishra, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 28-04-2025 Heard Mr. Umesh Kumar Mishra, learned counsel
for the petitioner, Mr. Arvind Kumar, learned counsel for the
Vigilance and Mr. Ajay Mishra, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Udwanthnagar P.S. Case No. 572 of 2022, F.I.R. dated 07.12.2022 registered for the offences punishable under Sections 420, 467, 468, 471 and 120(A) of the Indian Penal Code.

3. Allegation against the petitioner is of getting employment as Niyojit Teacher by making forgery.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. As per direction of this Hon'ble



Court passed in C.W.J.C. No. 15459 of 2014, the present F.I.R. was instituted against the petitioner and others similarly situated co-accused persons. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. As per allegation in the F.I.R. the petitioner has submitted his Matriculation certificate as he obtained shows 1st Division but in fact after verification it was found that the petitioner has passed the Matriculation in 3rd Division. Learned counsel for the petitioner further submits that the petitioner has submitted all certificates which he obtained from the competent Board/University at the time of selection process and after due verification the petitioner has been appointed on the post of Panchayat Teacher and after filing the present F.I.R. the petitioner has been terminated from the post in question w.e.f. 21.12.2022.

5. Learned APP for the State as well as learned counsel for the Vigilance, on the other hand, has opposed the prayer for anticipatory bail of the petitioner and submits that the petitioner has not resigned from the post in question but fairly submits that the petitioner has been terminated from the post in question by the competent authority in December, 2022



itself.

6. Considering the facts and circumstances of the case, 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Udwanthnagar P.S. Case No. 572 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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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