

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87282 of 2024

Arising Out of PS. Case No.-105 Year-2024 Thana- THARTHARI District- Nalanda

Shyamdeo Paswan Son of Rupam Paswan R/O Vill.- Salempur, P.O.- Diha,
P.S.- Tharthari, Dist.- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Vigilance Investigation Bureau, Through Police Inspector-cum-
Investigation Bureau, Patna Range Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mrityunjay Kumar, Advocate
For the Vigilance	:	Mr. Arvind Kumar, Advocate
		Mr. Paritosh Parimal, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-04-2025 Heard Mr. Mrityunjay Kumar, learned counsel for

the petitioner as well as Mr. Ajay Mishra, learned Additional

Public Prosecutor for the State and learned counsel for the

Vigilance.

2. The petitioner is apprehending his arrest in
connection with Tharthari P.S. Case No. 105 of 2024, F.I.R.
dated 26.07.2024 for the offences punishable under Sections
420, 467, 468, 471 and 120B of the Indian Penal Code.

3. According to prosecution case, it is alleged that
the petitioner had submitted fake marksheet of matriculation for
the benefit of appointment in Block Teacher.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. Pursuant to the direction of this Court in C.W.J.C. No. 15459 of 2014 (PIL), the present F.I.R. has been instituted by the Vigilance Bureau against the petitioner and other similar situated persons in all over the Bihar. He further submits that the allegation as alleged in the F.I.R., the petitioner has submitted false matriculation certificate for obtaining the service in question. He further submits that the petitioner has submitted the certificate which he received from the competent board/University at the time of his joining and after verification of the certificate of the petitioner, the authority has permitted him to join the post in question and apart from that learned counsel for the Vigilance Department has filed counter affidavit stating therein that after the institution of the present F.I.R., the petitioner has not resign from the post in question.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts that the petitioner is having clean antecedent and according to the petitioner the petitioner himself submitted that certificate, which he has obtained from the competent board, let the petitioner, above



named, in the event of 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 Additional Chief Judicial Magistrate, Hilsa, Nalanda in connection with Tharthari P.S. Case No. 105 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 2023 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.)

Jyoti Kumari/-

U		T	
---	--	---	--

