

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88068 of 2024

Arising Out of PS. Case No.-43 Year-2022 Thana- BAKHARI District- Begusarai

Mahendra Poddar S/o- Late Kartik Poddar Resident of Nanhku Mandal Tola,
P.S - Muffasil Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sadanand Roy, Advocate

For the Opposite Party/s : Mr. Ajay Mishra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-02-2025 1. Heard learned counsel for the petitioner and Mr.
Ajay Mishra, learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 409, 420, 467, 468, 471 and 120(B) of the Indian Penal Code.

3. Learned counsel appearing on behalf of the petitioner submits that petitioner has antecedent of four cases. It is further submitted that the allegation as alleged in the FIR is that Laxmi Kumari in the year, 2011 had scored 110 marks in BETET examination and based on that she had secured appointment, but, on verification, it was found that the marksheet actually belonged to one Anand Kumar.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner was one of the Members of the Appointment Committee and when the certificates were



submitted by the candidate seeking appointment as teacher, at that point of time, the certificate is not verified and subsequently in terms of the rules, the certificate submitted is required to be verified by the concerned institution. It is further submitted that no prudent person knowing that the candidate who has submitted the certificate is forged and fabricated till would give appointment and thus create evidence against himself for getting implicated. It is next submitted that there may be some dereliction on part of the petitioner in carrying out with his duty but then petitioner is not a criminal. It is also submitted that no doubt, petitioner has antecedent of four cases but then all the FIRs in main for the reason that petitioner was Member of the Appointment Committee.

5. Mr. Ajay Mishra, learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the



case is pending/Successor Court in connection with Bakhari P.S.
Case No. 43 of 2022, subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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