

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.44853 of 2026**

Arising Out of PS. Case No.-19 Year-2026 Thana- BABUBARHI District- Madhubani

Bhushan Prasad Son of Sri Achchhelal Singh Resident of village Siktiyahi,  
Sihula, P.S.- Babubarhi, District - Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vigilance Bureau, Head Quarter, Patna, Bihar Bihar

... .. Opposite Party/s

**Appearance :**

|                    |   |                             |
|--------------------|---|-----------------------------|
| For the Petitioner | : | Mr. Abhinav Kumar, Advocate |
| For the State      | : | Mr. Ajay Mishra, A.P.P.     |
| For the Vigilance  | : | Mr. Arvind Kumar, Advocate  |

**CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR**  
**ORAL ORDER**

2      08-07-2026                      Heard the learned counsel for the petitioner, the learned A.P.P. for the State as well as the learned counsel appearing on behalf of the Vigilance Investigation Bureau.

2. The petitioner apprehends his arrest in connection with Babubarhi P.S. Case No. 19 of 2026 for allegedly having committed offences under Sections 420, 467, 468, 471 and 120(B) of the Indian Penal Code.

3. As per the prosecution story, which has been lodged on the basis of the written report submitted by the informant, to the effect that pursuant to the orders passed by a Hon'ble Division Bench of this Court in P.I.L. bearing C.W.J.C. No.15459 of 2014 whereby the Vigilance Investigation Bureau was directed to verify the records relating to appointment of



teachers. The records of the petitioner was also examined and the petitioner's training certificate Exam Seat No.280, Year 1993, Marks-844, Grade- First was also sent for verification. As per the report dated 06.05.2025 received from the Directorate of Sports and Youth Services, Maharashtra, Pune, the mark-sheet was found to be forged and fabricated and not in consonance with the original register. On the basis of the said report, the present First Information Report has been lodged.

4. The learned counsel for the petitioner submits that the petitioner was selected on the basis of his merit position and was issued appointment letter on 12.08.2010, after verification of all the requisite documents. The petitioner gave his joining in Government Middle School at Barhara on 16.08.2010 and started performing his duties, which he continued to perform till date. Even his pay fixation was approved by the Education Department in the year 2015. He submits that the allegations levelled in the First Information Report are totally false and do not have any leg to stand. The petitioner successfully appeared and passed the Elementary Teachers Evaluation Examination, 2023 conducted by the S.C.E.R.T, Patna. He submits that the documents of the petitioner was earlier also verified and the same were found to be correct. He submits that after lodging of



the present First Information Report, the B.D.O., Babubarhi vide Memo No.269 dated 23.03.2026 directed for taking steps for termination of the services of the petitioner. He further submits that identically situated persons have been granted privilege of anticipatory bail as well as regular bail by this Hon'ble Court vide order dated 08.04.2026 passed in Criminal Miscellaneous No.19369 of 2026 (Arun Kumar Ghose Vs. The State of Bihar & Anr.) and order dated 29.04.2026 passed in Criminal Miscellaneous No.28757 of 2026 (Pawan Kumar Mandal @ Pawan Mandal Vs. The State of Bihar & Anr.). He further submits that the petitioner has got a clean antecedent.

5. *Per contra*, the learned APP appearing on behalf of the State as well as the Vigilance Investigation Bureau opposes the prayer for grant of anticipatory bail to the petitioner.

6. The learned counsel appearing on behalf of the Vigilance Investigation Bureau submits that the documents related to the petitioner was sent for verification before the Directorate of Sports and Youth Services, Maharashtra, Pune and from where a report dated 06.05.2025 was received by the Vigilance Investigation Bureau. It was informed that the mark-sheet of the petitioner has been found to be fabricated. It is further submitted that on the basis of the said report, submitted



by the Directorate of Sports and Youth Services, Maharashtra, Pune, the present First Information Report has been lodged.

7. Having heard the rival submissions of the parties and after going through the records, it appears that despite opportunity granted by the Hon'ble Division Bench of this Court to such teachers to resign on their own, the petitioner chose not to resign and he continued to draw the monetary benefits as a teacher. The allegation against the petitioner appears to be serious in nature and he did not resign on his own despite opportunity granted to him by virtue of the order of the Hon'ble Division Bench and he continued to draw the monetary benefits as a Block Teacher. Now, in 2025 it has been found that his educational qualification was forged. Further the learned Co-ordinate Bench vide order dated 18.01.2024 passed in Criminal Miscellaneous No.78970 of 2023 (Sanjeev Kumar Raman vs. The State of Bihar) has rejected the anticipatory bail petition. Similar view was taken by a learned Co-ordinate Bench vide order dated 27.02.2024 passed in Criminal Miscellaneous No.58684 of 2023 (Punita Devi vs. The State of Bihar & Ors.). The order dated 27.02.2024 has been affirmed by the Hon'ble Supreme Court of India in SLP (Crl.) No.16221 of 2025 vide order dated 23.04.2026.



8. Considering the facts and circumstances of the case, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner and accordingly the same is rejected.

**(Ritesh Kumar, J.)**

*Sanjay/-*

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