IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76842 of 2026

CNR No. BRHC011047182026

Arising Out of PS. Case No.-370 Year-2026 Thana- BETTIAH CITY District- West Champaran

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Arun Kumar Singh S/O Rajendra Prasad Singh Resident of village- Manipur, P.s.- Warish Nagar, District- Samastipur, Presently Posted as Tuberculosis (T.B.) Health Worker/Sevak, Dist. Tuberculosis Centre Bettiah, West Champaran.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sameer Ranjan, Advocate
For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 04-11-2026 Heard the learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Bettiah Town P.S. Case No.370 of 2026, F.I.R dated 01.07.2026 registered for the offences punishable under Sections 316(5), 318(4), 338, 336(3), 340(2) and 61(2)(a) of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, as alleged in the FIR lodged by Dr. Chetan Jaiswal, Senior Medical Officer, District Tuberculosis Centre, West Champaran, Bettiah, is that a departmental review conducted pursuant to Memo No. 128 dated 24.06.2026 and Letter No. 445(11) dated 08.06.2026 revealed that the names of certain Tuberculosis Attendants,

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including the petitioner, Arun Kumar Singh, did not figure in the selection list issued by the Bihar Public Service Commission. It was further alleged that these employees had secured their appointments by submitting forged departmental appointment/joining letters bearing Nos. 1176(11) and 1177(11), both dated 26.11.2005, which had never been issued by the Department of Health, Bihar.

4. Learned counsel for the petitioner submits that the petitioner was appointed as a Tuberculosis Attendant (*Yakshma Sevak*) on 05.12.2006, following due process of law, and has since been continuously discharging his duties. It is submitted that, even after rendering nearly 20 years of unblemished service, without any complaint against him, and after his services had been duly verified and regularized, the instant FIR has been lodged against him after a lapse of 20 years. The FIR has been instituted solely on the ground that the authorities, while preparing the service book of the petitioner for consideration of his entitlement under the Old Pension Scheme or the New Pension Scheme, the name of this petitioner did not find place in the selection list of the recommended candidates of BPSC in their record, which exercise can be carried out in the light of the order passed by this Court in C.W.J.C. No. 8821 of

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2021. Instead of taking a final decision in the matter, the authorities have chosen to lodge an FIR, thereby prejudicing the petitioner's right to be considered for coverage under the Old Pension Scheme. It is further submitted that the petitioner has one criminal antecedent not akin to the instant case and is presently on bail in connection with the said case.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts and circumstances that since the issues pertains to compliance of the order passed by this Court in C.W.J.C. No.8821 / 2021, and these petitioners have served on the post for the last 20 years and have no blemished career, while, there is only one criminal antecedent in which he is on bail and still in service, and that the petitioner is ready to cooperate in the investigation. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his/her 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 CJM, Bettiah, West Champaran, in

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connection with Bettiah Town P.S. Case No.370 of 2026, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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