

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53646 of 2015

Arising Out of PS.Case No. -3 Year- 2013 Thana -C.B.I CASE District- PATNA

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1. Satya Narayan Paswan aged 30 years son of late Ram Lakhan Paswan, resident of village + P.o. Parihar, P.S.-Parishar, District- Sitmarhi.
 2. Anajani Paswan aged 27 years son of Satya Narayan Paswan, resident of village + P.O. - Bhavdepur, via Sitamarhi Bazar, P.S.- Riga, District- Sitamarhi.

.... Petitioner/s

Versus

Union of India through CBI

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nazir Alam, Advocate

For the Opposite Party/s : Mr. Bipin Kumar Sinha, Standing Counsel, CBI

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

4 08-12-2015 Heard learned counsel for the petitioners and learned counsel for the Central Bureau of Investigation.

The petitioners seek pre-arrest bail in connection with Special Case No.4 of 2013 arising out of RC Case No.3 of 2013 registered under Section 120B read with Sections 420, 467, 468, 477A and 471 of the Indian Penal Code as well as section 13(2) read with 13(1)(d) of the Prevention of Corruption Act, 1988.

The allegation in the FIR is that the petitioners had been appointed in the post office under the jurisdiction of Superintendent of Post Office, Sitamarhi on the post of Gramin Dak Sewak on the basis of fake testimonial issued by the Bihar

Sanskrit Shiksha Board.

Learned counsel for the petitioners submits that the allegation made in the FIR has got no substance and the petitioners have neither forged any document nor their appointment is based of fake testimonials.

On the other hand, learned counsel appearing for the CBI has submitted that in course of investigation enquiry was made from the Controller of Examination and the report submitted by the Controller of Examination corroborates the fact that the petitioners were appointed on the basis of fake testimonials. He has further contended that anticipatory bail of another co-accused Randhir Kumar, whose case is identically situated to that of the petitioners, has already been rejected by a co-ordinate Bench of this court vide order dated 14.10.2015 passed in Cr. Misc. No.45521 of 2015

Regard being had to the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, their application for pre-arrest bail is rejected.

(Ashwani Kumar Singh, J)

Md.S./-

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