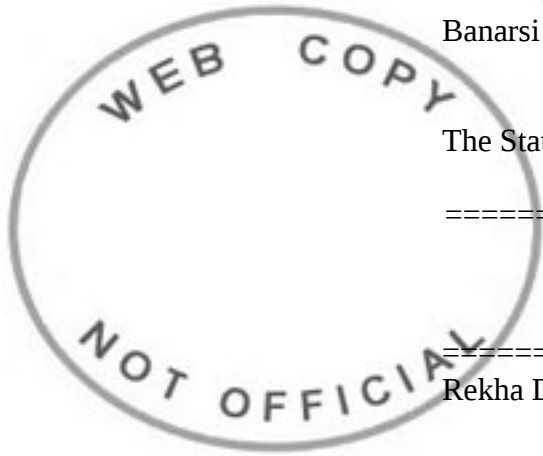




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43184 of 2013

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Banarsi Prasad				Petitioner.
	Versus			
The State of Bihar through Vigilance				Opposite Party.

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with
Criminal Miscellaneous No.44966 of 2013

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Rekha Devi				Petitioner.
	Versus			
The State of Bihar through Vigilance				Opposite Party.

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with
Criminal Miscellaneous No.46188 of 2013

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Shyam Bihari Singh				Petitioner.
	Versus			
The State of Bihar				Opposite Party.

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with
Criminal Miscellaneous No.46205 of 2013

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Nand Kishore Chourasia				Petitioner.
	Versus			
The State of Bihar through the Vigilance				Opposite Party.

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with
Criminal Miscellaneous No.48800 of 2013

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Nagendra Kumar Singh				Petitioner.
	Versus			
The State of Bihar through the Vigilance, Bihar, Patna				Opposite Party.

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Appearance :
(In Cr.Misc. No.43184 of 2013)
For the Petitioner : Mr. Krishna Pd.Singh, Sr. Advocate.
For the Opposite Party : Mr. Ramakant Sharma (L.O.(I/C Vig.)

(In Cr.Misc. No.44966 of 2013)

For the Petitioner : Mr. Krishna Pd. Singh, Sr. Advocate.
For the Opposite Party : Mr. Ramakant Sharma (L.O.(I/C Vig.)

(In Cr.Misc. No.46188 of 2013)

For the Petitioner : Mr. Krishna Pd. Singh, Sr. Advocate.
For the Opposite Party : Mr. Ramakant Sharma, L.O.(I/C Vig.)

(In Cr.Misc. No.46205 of 2013)

For the Petitioner : Mr. Krishna Pd. Singh, Sr. Advocate.
For the Opposite Party : Mr. Ramakant Sharma(L.O.(I/C Vig.)

(In Cr.Misc. No.48800 of 2013)

For the Petitioner : Mr. Krishna Pd. Singh, Sr. Advocate.
For the Opposite Party : Mr. Ramakant Sharma L.O.Ic.(Vig.)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

7 19-02-2015 Heard learned counsels for the petitioners,
and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 467, 468, 466, 471, 474, 420/34 of the Indian Penal Code, 13(1) (d) read with Section 13(2) of the Prevention of Corruption Act.

It is alleged against the petitioners that they sworn affidavit in various Criminal Miscellaneous applications filed before this Court with a prayer for bail in different cases registered under the NDPS Act. In Criminal Miscellaneous applications forged F.S.L. reports were annexed. Subsequently, this High Court directed for an enquiry. Consequently, the present case was lodged when it was found that with forged F.S.L. certificates the bail applications were filed.



It is submitted by learned senior counsel for the petitioners that certified copy of the FSL report was issued from the office/copying section of learned District/Special Judge and this is not the case of the Vigilance that FSL report was brought on records of the Court by the petitioners. There was no occasion for the petitioners to doubt the certified copy of the F.S.L. report and the report was transmitted to the learned District/Special Judge through the official channel from the State FSL.

It is submitted by learned senior counsel for the Vigilance that initial report was filed by the accused persons before the learned District/Special Judge and thereafter the certified copy was probably obtained on behalf of accused persons. The investigation has already concluded and the petitioners have been charge sheeted.

This Court is not inclined to consider prayer for anticipatory bail of the petitioners since the case was instituted in 2007, investigation has already concluded and the petitioners have been charge sheeted but if initial FSL report is found to be not submitted on behalf of accused persons before the learned District/Special Judge and for the first time the certified copy of the same was issued by

the office/coping section of the learned Special Judge then the petitioners have a case for consideration of prayer for regular bail.

With this observation, the applications are disposed off in connection with Special Case No. 13/2011, arising out of Shastrinagar P.S. Case No. 175/2007, pending in the court of the learned Special Judge, Vigilance-Ist, Patna.

U.K./-

(Dinesh Kumar Singh, J)

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