

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47293 of 2016

Arising Out of PS.Case No. -34 Year- 2016 Thana -KISHANGANJ District- KISANGANJ

=====

Md. Afaque Alam, S/o Late Md. Salim, Resident of Village – Punas, P.O.
Sontha, P.S. Kochadhaman, District- Kishanganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Diwakar Sinha, Advocate

For the Opposite Party : Mr. Smt. Meena Singh (APP)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 14-12-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection
with Kishanganj P.S. Case No. 34 of 2016, registered for the
offences punishable under Sections 409, 420, 120(B) of the Indian
Penal Code.

Allegedly, the petitioner was working as Physical
Trained Teacher on the basis of certificate which after verification
was found forged one and as a matter of fact, the certificate was in
the name of Md. Alam Ashfaque son of Md. Salim having total
marks obtained 699 and he was fail.

Submission is of false implication and that the
certificate of the petitioner was not verified as his certificate in the
name of Md. Afaque Alam, whereas the report is with respect of



Md. Alam Ashfaque and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of bail by submitting that after making forgery the petitioner was serving as Physical Trained Teacher and on verification his certificate was found forged one.

In the facts and circumstances as stated above, I am not inclined to grant privilege of pre-arrest to him and accordingly his such prayer stands rejected in connection with Kishanganj P.S. Case No. 34 of 2016, pending in the Court of learned Chief Judicial Magistrate, Kishanganj.

However, in case and if so advised the petitioner surrenders and seeks regular bail then his prayer for regular bail shall be considered preferably on the same day on its own merits without being prejudiced by the order of this Court.

(Jitendra Mohan Sharma, J.)

Rajiv/-

U		T	
---	--	---	--

