

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.22377 of 2016

Arising Out of PS.Case No. -29 Year- 2016 Thana -CIVIL LINE District- GAYA

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Sudhir Kumar, Son of Shatrughan Sharma, resident of Village- Koili, Police Station- Makhdumpur in the district of Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar

2. The Director General of Police, Vigilance, Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sushant Kumar

For the Opposite Party/s : Mr. Ram Naresh Prasad

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

6 06-09-2016 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with a case registered for the offences punishable under Sections 420/467/468/471/409/120(B) of the Indian Penal Code.

Diary in this case was called for earlier, which has, since been received.

Learned counsel for the petitioner submits that the petitioner is being prosecuted only because of the reason that his roll number as it appears in his admit-card and also in result-sheet is 3403110409 as issued to him by the Bihar School Examination Board, Patna, for Secondary/Senior Secondary Teacher Eligibility Test (BSITET), 2011. The said roll number finds place both in the Admit-card as well as in the result-card issued by the Bihar School



Examination Board, Patna. However, as alleged, on verification the said roll number was found to be that of one Kalindi Kumari and not this petitioner. As such, the petitioner's appointment is under cloud and he is being debarred from participating in his job and is apprehending his arrest. Learned counsel for the petitioner however, submits that the veracity of the said report issued by the Bihar School Examination Board has been challenged by him as evidently, there was no mistake on his part and he is in valid possession of the aforementioned certificates.

Learned counsel appearing on behalf of the State after perusal of the case diary has referred to paragraph No. 3 of the case diary, the report from the Bihar School Examination Board which indicates that the candidate Sudhir Kumar son of Shatrughan Sharma is recorded as 3403110409 also shows that it is of Kalindi Kumari and, therefore, the petitioner is facing prosecution.

Be that as it may, since the petitioner has already challenged the report issued by the Bihar School Examination Board and that the same is once again under verification, let the petitioner, in the event of his arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the

learned Chief Judicial Magistrate, Gaya, in connection with Civil Lines P.S. Case No. 29/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

It shall, however, be open to the authorities to re-verify the matter and proceed in accordance with law.

The petitioner shall also co-operate with the investigation and present himself before the investigation as and when required.

(Anjana Mishra, J)

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