

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7040 of 2016

Arising Out of PS.Case No. -17 Year- 2015 Thana -C.B.I CASE District- PATNA

Atul Chandra, S/o- Jitendra Narayan Prasad, R/o Village- Langer Toli Gali,
P.O- Bankipur, P.S.- Kadamkuan, Patna.

.... Petitioner

Versus

The Central Bureau of Investigation.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Avinash, Advocate
For the Opposite Party : Mr. Bipin Kumar Sinha, SCCBI,

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 06-04-2016 Heard learned counsel for the petitioner, learned counsel
for the CBI and learned counsel for the State.

The petitioner is apprehending his arrest in connection with Special Case No.4 of 2015 arising out of R.C. Case No. 17A of 2015 pending in the Court of Special Judge, CBI-II, Patna for the offences instituted under Sections 120B, 419, 465 and 468 of the Indian Penal Code and Sections 13(2) read with 13(1)(d) of the Prevention of Corruption Act, 1988.

As per prosecution case the petitioner and other co-accused were selected for appointment vide Recruitment Section, Bihar Circle Letter No.-R/E-51/PA/SA/DR/2011-12 dated 04.12.2003. It is further alleged that the accused persons including the petitioner was requested to submit original educational and



caste certificate and other documents and in course of verification it came to the notice that signature of the candidates put on application form differ from the signature put on OMR sheet and typing test result evaluation sheet and the relevant documents. OMR sheet, declaration of OMR application, original typing test evaluation sheet, test history and attestation form were sent to CFSL, Calcutta for examination and CFSL, Calcutta opined that writing and signature were of different persons.

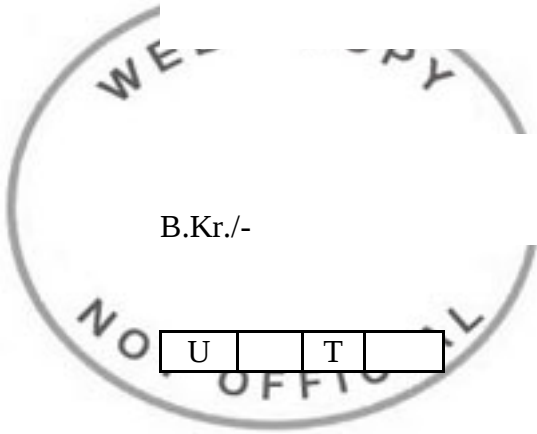
It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent and he has been made accused due to mistake of fact. There is no substantive piece of evidence to suggest his implication in the present case.

On behalf of the counsel for CBI, it has been submitted that the petitioner by way of fraud was trying to obtain an appointment in the postal department. The documents relating to appointment of the petitioner were sent to CFSL, Calcutta for examination. It has been opined that the writings and signatures were of different persons.

Considering the aforesaid facts and circumstances of the case, I am not inclined to release the above named petitioner on anticipatory bail, the same is rejected.

Anyhow, if the petitioner surrenders in the court below

within a period of four weeks, the same shall be considered on its
own merit without being prejudiced by this order.



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(Sudhir Singh, J)