

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53206 of 2015

Arising Out of PS.Case No. -23 Year- 2012 Thana -ECONOMIC OFFENCES, BIHAR District-
PATNA

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Amarnath Sah, S/o Vishwanath Sah, Resident of Village- Lakara Kol, P.S.-
Pirpainty, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Economic Offences Unit, Patna, Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Arvind Kumar Pandey

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 01-03-2016 Heard learned counsel for the petitioner,

learned Sr. counsel for the EOU and learned

counsel for the State.

The petitioner apprehends his arrest in
connection with Economic Offence P.S. Case No. 23
of 2012 registered for the offences punishable under
Sections 420, 468, 472 and 120(B) of the Indian
Penal Code.

Learned counsel for the petitioner submits
that though he is not named in the FIR, later during
the course of investigation, it has surfaced that the
petitioner's testimonials were recovered from one of
the accused persons so named in the FIR. It is



further submitted that petitioner was the examinee of Junior Engineer Examination conducted by the Staff Selection Commission but there being certain anomalies and it having been discovered that serious offences were made by group of persons to break open the strong room and tamper with the OMR sheets, the matter was investigated and some persons were caught red-handed from the place of occurrence where they were found opening the strong room for the purpose of tampering with the answer sheets.

Learned counsel for the EOC submits that on investigation being made, it was discovered that the petitioner's OMR sheet had also been tampered with and more marks have been awarded while assessing his papers. It is further submitted that the original testimonial of the petitioner was found in the possession of one of the accused person, who has been taken into custody.

Considering the nature of allegations made against the petitioner and the materials, available in

the case diary and also the submissions made on behalf of learned Sr. Counsel for the EOU, I am not inclined to grant anticipatory bail to the petitioner. It is, accordingly, rejected.

However, if the petitioners surrender and seek regular bail within a period of four weeks, the Court below may consider the regular bail application of the petitioners without being prejudiced by the present order.

(Anjana Mishra, J)

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