

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47621 of 2015

Arising Out of PS.Case No. -22 Year- 2015 Thana -KUNALI District- SUPAUL

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1. Bijay Kumar @ Vijay Kumar Son of Sita Ram Yadav, Resident of Village - Kamalpur, P.S. - Kunauli, district - Supaul.
2. Mahadeo Yadav, Son of Ram Lakhan Yadav, Resident of Village - Kamalpur, P.S. Kunauli, District - Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Indu Kumari Srivastava (App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 29-01-2016 Heard learned counsel for the petitioners and learned A.P.P.

Two petitioners apprehending their arrest in connection with Kunauli P.S. Case No. 22 of 2015 registered for the offence under Section 420, 467, 471, 468, 120(B) of the Indian Penal Code, have prayed for grant of anticipatory bail.

Allegation against the petitioners is that they produced forged certificate for appointment as Panchayat Teacher. It was submitted by learned counsel for the petitioners that though allegation was made the petitioners were never appointed. He further submits that almost in similar situation one of the accused has been granted bail vide Cr. Misc. 54515 of 2015 on 2.12.2015.

He further submits that other accused has been extended the privilege of anticipatory bail.

So far anticipatory bail granted to the accused in Cr. Misc. No. 54515 of 2015 is concerned it appears that petitioner was a unmarried girl. Moreover the court is of the opinion that if in the F.I.R. there is specific accusation of committing fraud and petitioners have been named as accused in the F.I.R., primarily in such a case privilege of anticipatory bail may not be extended. Accordingly I do not find any ground to extend the privilege of bail to the petitioners. If so advised petitioners may appear before the court below and make a prayer for regular bail. If such application is filed within six weeks from today, the learned court below without being prejudiced with this order may examine the same and pass appropriate order in accordance with law considering the fact that other accused has been granted anticipatory bail. Such order may be passed preferably on the same day.

The petition stands disposed of.

(Rakesh Kumar, J)

Praful/-

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