

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50099 of 2016

Arising Out of PS.Case No. -737 Year- 2015 Thana -KATIHAR District- KATIHAR

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Rajnish Kumar Son of Vinod Ram, resident of Village Patiyawan, Police
Station Sakurabad, District Jehanabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Garg, Advocate

For the Opposite Party/s : Mr. Gopesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-11-2016 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in Katihar
Nagar (Sahayak) P.S. case No.737 of 2015 registered under
Sections 406, 419, 420, 467, 468 and 471 of the Indian Penal
Code, pending before the court of Chief Judicial Magistrate,
Katihar.

The prosecution case, in brief, is that the petitioner was
selected for the post of Constable by the recruitment Board of
Katihar and during inquiry it came to know that the petitioner
along with co-accused were succeeded in examination after
placing another person on their behalf.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The

petitioner has falsely been implicated in the present case. The petitioner has been made accused due to mistake of fact. There is no substantive evidence to suggestion his implication in the present case. The other co-accused have been granted regular bail by the court below vide B.P. No.1245 of 2015 and B.P. No.1030 of 2016.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. and by way of fraud he had tried to obtain the appointment for the post of Constable in police service.

Considering the aforesaid facts and circumstances, I am not inclined to extend the privilege of anticipatory bail to the petitioner. Prayer for anticipatory bail is rejected.

Anyhow if the petitioner surrenders in the court below within a period of six weeks from today, his case shall be considered in the light of the order passed in the B.P. No.1245 of 2015 and B.P. No.1030 of 2016. If possible, the same may be disposed of on the same day.

(Sudhir Singh, J)

Narendra/-

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