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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 1162/2016**

GANGA DAYAL SHAKYA

..... Petitioner

Through :Mr. Shailendra Bhardwaj and Mrs.
Aroma S. Bhardwaj, Advs.

versus

STATE NCT OF DELHI

..... Respondent

Through :Ms. Neelam Sharma, APP with
Inspector Pawan Kumar, SHO, SI
Jagdeep Malik and HC Rohtash
Kumar, PS. Geeta Colony

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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25.07.2016

BAIL APPLN. 1162/2016 and Crl. M.B. No. 1120/2016

Learned counsel for the petitioner submits that petitioner was the Chairman of Board of Secondary Education, Madhya Bharat, Gwalior, Madhya Pradesh. He is in custody for 4½ months. Investigations are over, inasmuch as charge-sheet has been filed. Petitioner is not required for any further investigation. Trial is likely to take time. Petitioner is innocent. As per the respondent itself, board was declared unauthorized education board and removed vide order dated 5th March, 2014. Learned counsel submits that petitioner be admitted to bail.

Learned APP for the State submits that present FIR was registered on the complaint of Ms. Poonam Aggarwal on 11th January, 2016 that fake mark sheets and certificates of Classes 10th and 12th were issued by the Board of Secondary Education, Madhya Bharat, Gwalior, Madhya Pradesh. During the investigation, it has been revealed that said board was not recognized board and the certificates issued, were fake. It is submitted that Board of Secondary Education, Madhya Bharat, Gwalior, Madhya Pradesh and some other boards were declared equalization to the Madhyamik Shiksha Parishad established in 1921. However, after establishment of Central Board of Secondary Education, New Delhi by the Central Government, all running boards and parishads were declared illegal except State Government Education Boards. Reliance has also been placed on a letter dated 5th March, 2014 issued by the Government of Uttar Pradesh. It is submitted that in view of letter dated 5th March, 2014 issued by the Assistant Secretary, Education Board that Board of Secondary Education, Madhya Bharat, Gwalior, Madhya Pradesh is a non-existing board.

Keeping in mind the totality of circumstances, petitioner is admitted to bail, subject to his furnishing a personal bond in the sum of ₹50,000/- (Rupees Fifty Thousand Only) with one surety in the like amount to the

satisfaction of the trial court.

Application is disposed of in the above terms. Miscellaneous application is disposed of as infructuous.

A.K. PATHAK, J.

JULY 25, 2016
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