

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.16533 of 2017**

Arising Out of PS.Case No. -175 Year- 2007 Thana -SHASTRINAGAR District- PATNA

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NAGENDRA KUMAR @ NAGEDRA KUMAR SINGH @ NAGENDRA PRASAD s/o  
Sri. Shayam Bihari Singh, R/v Beda, P.S. Sasaram (M), Distt. Rohtas  
..... Petitioner/s

Versus

The State of Bihar Through The Vigilance Bihar, Patna .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Deo Raj Kumar Prasad  
For the Opposite Party/s : Mr. Ramakant Sharma(L.O.,Inc.,Vigilance)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN  
SHARMA**  
**ORAL ORDER**

5      12-05-2017                      Heard learned counsel for the petitioner and learned  
AC to Law Officer of Vigilance Department representing the  
State.

The petitioner seeks bail in connection with Special  
Case No. 13-A/2011 arising out of Shastri Nagar P.S. Case No.  
175 of 2007 registered for the offences punishable under Sections  
466, 467, 471, 474, 420, 120-B/34 and 13(2) and 13 (1)(d) of the  
P.C. Act.

Allegedly, forged F.S.L. reports were submitted in  
different cases for taking benefit from the Hon'ble Court in  
granting bail and accordingly, enquiry was conducted and after  
making enquiry, the present case has been lodged as it was found  
that forged F.S.L. reports in bail applications were filed. During  
the course of investigation, it was revealed that accused Md.  
Mustak Ahmad in association with the accused Santosh Kumar



manufactured forged reports in his own writing by putting the false signature of Director accused Shyam Bihari Upadhyay and Technical Officer of the F.S.L.. It is also alleged that for the aforesaid duplicate reports, they also took huge money from the accused persons of the respective cases for example; Ram Prasad Chourasia and in this way they gave undue benefit to those accused persons who had filed bail petitions in different cases in this Court.

Submission on behalf of the petitioner is of false implication and nothing has come during investigation how petitioner is involved in this case and what allegation came against the petitioner and it appears that during that time petitioner was in jail and he is not directly involved in this case. The petitioner is suffering from liver and spine problem since long back. After getting the knowledge, the petitioner has immediately surrendered in this court and due to physical compulsion delay was caused. Other co-accused, who were directly involved in this case, have been granted bail by this Court and the case of the petitioner is on better footing. The petitioner was in judicial custody when his bail application was filed in this court vide Cri. Misc. No. 4713 of 2013 in connection with Sheosagar P.S. Case No. 218 of 2009 and he was not aware of the fact that forged forensic report has been



annexed in his bail application on the basis of which he has been directed to be released on bail. There is no evidence in the entire case diary against the petitioner of manufacturing or obtaining the forged F.S.L. Report and, as such, no criminal offence is made out against the petitioner.

The learned AC to Law Officer of Vigilance Department opposes the prayer of bail.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Vigilance-1st, Patna in connection with Special Case No. 13-A/2011 arising out of Shastri Nagar P.S. Case No. 175 of 2007 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

**(Jitendra Mohan Sharma, J)**

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