

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36306 of 2017

Arising Out of PS.Case No. -13 Year- 2016 Thana -C.B.I CASE District- PATNA

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Rakesh Ranjan @ Akhilesh Sharma, S/o Suryadeo Sharma, resident of
village - Kashmiriganj, P.S. - Masaudhi, District - Patna.

.... Petitioner.

Versus

The Union of India through C.B.I., Head Branch A.C.B, Patna.

.... Opposite Party.

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Appearance :

For the Petitioner : Mr. Ibrahim Kabir and Ms. Shruti Sinha, Advocates.

For the C.B.I. : Mr. Bipin Kumar Sinha (SC,C.B.I.)

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 14-12-2017 Heard.

The petitioner apprehends his arrest in connection with
C.B.I./ACB/Patna P.S. Case No.RC0232016A0013 of
2016/Special Case No.7 of 2016 registered under Sections 120B,
420, 468 and 471 of the Indian Penal Code besides Section 13(2)
read with Section 13(1) of the P.C. Act, pending in the court of the
Additional Chief Judicial Magistrate-VI-cum-Special Judge,
C.B.I., Muzaffarpur.

The accusation is that in the light of the order dated
27.06.2016 passed in C.W.J.C. No.10951 of 2015, the C.B.I.
started the investigation regarding the appointment of 73 Gramin
Dak Sewaks during the period 2008-2013 under Muzaffarpur



Postal Division. In course of investigation, the petitioner, who was appointed as Gramin Dak Sewak during that period, was interrogated in which he stated that his actual name is Akhilesh Sharma, son of Suryadeo Sharma, resident of Mohalla-Kashmirganj, P.S. Masaudhi, District-Patna, and he could not pass the examination of Madhyama in 2004 but, later on, he obtained the certificate of Madhyama from one Sambhu Singh, resident of Rajapur, Patna in course of doing the work of electrician. Sambhu Singh was known as teacher. After obtaining the fake certificate of Madhyama, on that very basis, he got prepared Income Certificate, Residential Certificate, Caste Certificate and also got his name registered in the Employment Office and also produced the same at the time of applying for the post of Gramin Dak Sewak. On verification from the Bihar Sanskrit Shiksha Board, Patna, it was found that while this petitioner had filled up the form of Madhyama in the name of Rakesh Ranjan, son of Sardar Sharma, resident of Mahmadpur, Koiri Bigha, Belaganj, District-Gaya, and appeared for Madhyama Examination in the year 2004 from Krishna Singh Sanskrit-cum-High School.

Learned counsel appearing on behalf of the petitioner submits that while the allegation against the petitioner has been made to obtain the fake certificate of Madhyama from the Bihar



Sanskrit Shiksha Board, Patna, but the officials of the Board have not been made accused in the case, which clearly indicates that the original certificate of Madhyama had been issued by the officials of the Bihar Sanskrit Shiksha Board, Patna.

Having considered the facts and the circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the petitioner for grant of anticipatory bail stands rejected. However, the petitioner is directed to surrender before the trial court and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

P.S./-

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