

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42224 of 2017

Arising Out of PS.Case No. -18 Year- 2016 Thana -C.B.I CASE District- MUZAFFARPUR

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1. Rajeev Kumar, son of Ram Nath Rai,

2. Ramnath Rai, Son of late Chauti Rai,

Both are resident of Village Shahpur Mirich, P.S. Maniyari, District-
Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar through Superintendent of Police, C. B. I. Patna.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Ms. Kumari Sujata Sinha, Advocate.

For the Opposite Party/s : Mr. Sanjay Kumar, SC, CBI.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

4 17-10-2017 Heard learned counsel for the petitioners and learned
counsel representing the Central Bureau of Investigation.

The petitioners, in the present case, are seeking
anticipatory bail in connection with RC 18(A)/2016 (C.B.I. Patna
R.C. 0232016A0018) T.R. 26/17 under Sections 120(B), 420, 468,
471 of the Indian Penal Code read with Sections 13(2) & 13(1)(d)
of P.C. Act, 1988.

Learned counsel for the petitioners submits that in fact
the petitioners had applied for appointment in question on the
basis of their marks sheets of the Secondary School Examination
issued by Bihar School Examination Board, Patna, as contained in



Annexure-2 to the present application, but they have been falsely implicated in the present case alleging that they had produced fake marks sheets issued by the Bihar Sanskrit Shiksha Board. Learned counsel, therefore, submits that in view of Annexure-2 to the present application a *prima facie* case for anticipatory bail is made out.

On the other hand, learned counsel representing the C.B.I. submits that he has got instructions and a zerox copy of complete application forms submitted by these petitioners in the Office of the Senior Superintendent, Posts, Muzaffarpur Division, Muzaffarpur have been produced before this Court showing that the petitioners had, for purpose of employment, submitted the certificates allegedly issued by the Bihar Sanskrit Shiksha Board showing higher marks than what he had obtained in the examination conducted by the Bihar School Examination Board. According to learned counsel, these certificates of Bihar Sanskrit Shiksha Board are said to be fake certificates and the petitioners being the beneficiary of the same is directly involved in the fraud.

Considering the materials produced before this Court showing copies of the certificates of Bihar Sanskrit Shiksha Board in the name of these petitioners, which are said to be forged and fake certificates, this Court is not inclined to grant anticipatory



bail to the petitioners in connection with RC 18(A)/2016 (C.B.I.
Patna R.C. 0232016A0018) T.R. 26/17.

The application is dismissed.

(Rajeev Ranjan Prasad, J)

Dilip, AR

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