

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43941 of 2017

Arising Out of PS.Case No. -258 Year- 2017 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

=====

Neelam Kumari, Daughter of Madan Sharma, Resident of Village + P.O. +
P.S.- Kishanpur Ratwara, District- Madhepura.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amrendra Kumar

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta

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

ORAL ORDER

2 19-09-2017 Heard the learned counsel for the petitioner as well as
the learned A.P.P. for the state.

In this application for anticipatory bail the petitioner apprehends her arrest in connection with Kotwali (Barari) P.S. Case No. 258 of 2017 for the offences punishable under sections 419, 420, 467, 468 and 471 of the I.P.C.

Allegedly, the handwriting of the petitioner on the OMR sheet does not tally with the handwriting taken at the time of counseling and the FSL report also confirms that the disputed writings and signatures are not in the handwriting of the person who wrote the specimen of writing and signature and the petitioner took admission in G.N.M. course.



Submission is of false implication and that the petitioner fairly appeared in the competitive examination and has not created any fake document with an intention to get her admission and the offence as alleged in the FIR is not applicable, the petitioner has not got any financial benefit and there is no financial loss of the government on account of the petitioner so the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner by submitting that the petitioner took admission in G.N.M. course after swearing an affidavit that if in the FSL report adverse report will come her admission will be deemed to be cancelled and the FSL report confirms that impersonation was done at the time of writing the answer sheet.

In the facts and circumstances stated above, I am not inclined to grant privilege of pre-arrest bail to the petitioner and accordingly her such prayer stands rejected in connection with the aforementioned case pending in the court of C.J.M. Bhagalpur.

(Jitendra Mohan Sharma, J)

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