

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43123 of 2017

Arising Out of PS.Case No. -3 Year- 2013 Thana -C.B.I CASE District- PATNA

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Munil Kumar Jha, Son of Shri Dev Narayan Jha, R/o Village+P.O.- Gadha,
Via-Manik Chowk, P.S.- Runnisaidpur, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Central Bureau of Investigation , through, S.P. C.B.I. /A.C.B/ Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sandip Kumar, Advocate. Mr. Arbind Kr. Singh, Advocate
For the CBI	:	Mr. Bipin Kumar Sinha SC/CBI
For the State	:	Mr. Asharaf Ansari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 17-10-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in CBI/ACB RC
0232013A 003 dated 12.3.2013 instituted for the offence under
Sections 120b r/w 420, 467, 468, 477, 471 of the Indian Penal
Code and Sections 13(2) r/2 13(1)(d) of P.C. Act, 1988.

It is alleged in the written report that on the basis of
false educational certificate issued by Bihar Sanskrit Siksha Board
and other institution during the period 2008-12, seventeen
candidates including this petitioner got appointment in connivance
with the postal department as Gramin Dak Sevak.

Learned counsel for the petitioner has submitted that
he is not named in the First Information Report. His name has



come during investigation. It has further been submitted that two other accused persons namely, Praveen Kumar and Virendra Kumar Singh have already been granted anticipatory bail by coordinate Benches of this Court vide orders dated 11.03.2016 and 16.10.2015 passed in Cr. Misc. 54298 of 2015 and 48588 of 2015 respectively.

Learned counsel for the CBI has appeared and submitted that the I.O. of the case has submitted charge sheet against this petitioner with allegation that he had applied for the post on the basis of his Madhyama Marksheet of Bihar Sanskrit Siksha Board, having total 602 marks with the roll No. 607 of Roll Code 3702 for the year 2005 and when his certificate was sent for verification, it revealed that the marks sheet produced by him is false since Roll No. 607 of Roll Code 3702 has not been allotted to anyone. Learned counsel for the CBI has submitted that charge sheet has also been filed against the appointing authority. He has submitted that anticipatory bail of other co-accused persons have already been rejected by this Court vide order dated 10.08.2017 passed in Cr. Misc. 36946 of 2017 and by other coordinate Benches of this Court vide orders dated 18.02.2016 and 22.09.2016 passed in Cr. Misc. Case Nos. 1671 of 2016 and 22.09.2016 respectively.



As such, there is specific allegation against this petitioner of getting appointment on the basis of forged document.

Therefore, this Court is not inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner stands rejected.

Petitioner may surrender before the court below and make prayer for regular bai,

(Sanjay Priya, J)

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