

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.546 of 2017

Arising Out of PS.Case No. -469 Year- 2016 Thana -JAHANABAD District- JEHANABAD

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1. Dr. Ajay Pratap Son of late Ramashish Prasad Resident of Shekhpura Bagicha near IGIMS, P.S. Shastrinagar, Town & District Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. S.S. Dwevedi
 Mr. Ravindra Kumar Shukla
 For the Opposite Party/s Mr. R.P.S. Singh

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

02/ 16.01.2017 Heard learned counsel for the petitioner as well as learned Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with a case registered under sections 467, 468, 471, 420 and 120B of the Indian Penal Code.

Petitioner was posted as civil surgeon at Jehanabad and accusation against him is that he, having got manipulated government record, entered fake dates of birth of his two sons on 22.5.2008 and on the basis of recommendation made by Lokayukta, present case was lodged but submission on behalf of the petitioner is that sons of the petitioner appeared in matriculation examination in the year 1994-1998 respectively and in their marks sheet, their dates of birth were entered as 6.1.1979 and 9.11.1982 respectively. There was no occasion to



make any manipulation in the record.

It is further submitted that so-called recommendation of Lokayukta is concerned, Hon'ble Lokayukta has never recommended for institution of the FIR but the government officials in collusion with one Surendra Singh Samdarshi who happens to be influenced political person lodged this case against the petitioner with an intent to take revenge from the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of this fact that entire prosecution appears to be based on documentary evidence and custodian interrogation of the petitioner does not require, in the event of arrest/ surrender within six weeks from the date of receipt of this order to the concerned court, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Jehanabad in Jehanabad P.S. Case no. 469/2016 subject to condition as laid down under section 438(2) of the Cr.P.C.

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(Hemant Kumar Srivastava,J)

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