

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25076 of 2016

Arising Out of PS.Case No. -333 Year- 2015 Thana -MITHANPURA District- MUZAFFARPUR

1. Jitendra Kumar, S/o Asharphi Sah, R/o Village- Harjora Ghat, P.O. Gangapur, P.S. Kishanpur Ratwara, Distt- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jai Prakash Verma, Advocate

For the Opposite Party/s : Mr. Dilip Kuamr Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

9/ 20-02-2017

Heard learned counsel for the Petitioner and the State.

The Petitioner apprehends his arrest in Mithanpura P.S. Case No.333 of 2015 instituted for the offence under Section(s) 419, 420, 467, 468, 471/34 Indian Penal Code pending in the Court of the Sub-Divisional Judicial Magistrate, East, Muzaffarpur.

The prosecution case as per the written report of Jena Sinku, Inspector, BMP-15, Bagaha, is that the petitioner did not appear on duty as per the official communication dated 23.11.2015, after which Central Selection Board had issued notice to appear on 25.11.2015, but then he was declared absconder. It is further alleged that upon scrutiny of the paper in relation to Advertisement No.01 of 2014 for selection of



Constables and on comparison of handwriting and signature of the petitioner, it was found that he was impersonated by another person.

By order dated 05.08.2016, the petitioner was directed to appear before the Central Selection Board for appointment of Constables in relation to Advertisement No.01 of 2014 within two weeks so that *bonafide* of the appointment of petitioner be ascertained and report be submitted before this Court within four weeks next.

The petitioner in compliance of the aforesaid order appeared before the Central Selection Board and as per the Counter Affidavit filed on behalf of the State, report has been sent to this Court by the Director General of Police, Bihar, vide Annexure-B, kept at internal page 15 of the Counter Affidavit, wherein, it has been mentioned that according to the report of the Central Selection Board, on the date fixed for verification, i.e. on 15.09.2016, the handwriting and signature of the petitioner were verified in comparison to his handwriting and signature recorded during the written examination. As an outcome, the two has been found to be different.

In view of such, this Court does not find it a fit case for grant of anticipatory bail.



Prayer is rejected.

The petitioner may surrender before the Court below
and seek regular bail, which shall be considered and disposed of
on its own merit without being prejudiced by this order.

(Sanjay Priya, J)

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