

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27959 of 2017

Arising Out of PS.Case No. -146 Year- 2016 Thana -C.B.I CASE District- MUZAFFARPUR

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1. Ashok Kumar Chaudhary Son of Sri Devendra Chaudhary, Resident of Village and P.O.- Pakihara, P.S. and District- Begusarai, posted as Headmaster, Madhyamik Vidyalaya Sokhara District Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Durga Nand Jha

For the Opposite Party/s : Mr. Sri Tarkeshwar Nath Thakur

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 20-09-2017 Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Vigilance Police Station Case No. 146 of 2016, disclosing offences under Sections 406, 409, 420, 467, 468, 471 and 120B of the Indian Penal Code read with Section 13(2) and Section 13(1)(d) of Prevention of Corruption Act.

Learned counsel for the petitioner has submitted that the petitioner, who is of clean antecedent, is innocent and has not committed any offence. In fact, the F.I.R. has been lodged after lapse of 36 years of the appointment of the petitioner who is alleged to have been appointed on forged and fabricated documents. As a matter of fact, the petitioner obtained B.Sc.



degree along with College leaving certificate, which is clearly evident from annuexre-2. Therefore, the petitioner has not committed any forgery with respect to his certificates and hence, he cannot be allowed to be prosecuted for any criminal liability. Hence, the petitioner also deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Vigilance, Muzaffarpur, in connection with Vigilance Police Station Case No. 146 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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