

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36946 of 2017

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

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Abhishek Kumar, Son of Sri Kamlesh Prasad Singh, Resident of Village &
P.O.-Pahilwara Dhanusi, Via-Manik Chowk, P.S.-Runisaidpur, District
Samastipur

.... Petitioner/s

Versus

The Central Bureau of Investigation

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate.

For the Opposite Party/s : Mr. Bipin Kumar Sinha (SC,CBI)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 10-08-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in R.C. 03(A)/13,
Trial No. 20 of 2017 instituted for the offence under Sections 420,
467, 468, 477A, 471 of the Indian Penal Code, Sections 13(2) read
with Section 13(1)(d) of the P.C. Act.

It is alleged in the written report that on the basis of
information received that Gramin Dak Sewaks had been appointed
in the Post Offices in Sitamarhi on the basis of false educational
certificate issued by *Bihar Sanskrit Siksha Board* and other
institution during the period 2008-12, a preliminary enquiry was
conducted. It transpired during enquiry that these certificates have
actually not been issued by *Bihar Sanskrit Siksha Board* and the
same were fake and forged. It is further alleged that on the basis of



fake and forged certificate, the accused persons in connivance with the postal department authorities, got appointed in the department of post as *Gramin Dak Sevak (G.D.S)*.

From the impugned order, it appears that after investigation, the I.O. submitted charge sheet against this petitioner along with other accused persons as named in the written report with allegation that petitioner had applied for the post on the basis of his Madhyama Marksheet of Bihar Sanskrit Siksha Board, having total 623 marks with roll No. 577 of roll Code 1501 for the year 2005 and when the certificates of the candidates were sent for verification, it revealed that the marks sheet produced by the petitioner is false since Roll No. 577 of Roll Code 1501 for the year 2005 has been allotted to one Bipin Kumar who has got only 372 marks in the examination.

The counsel for the petitioner has submitted that one of the co-accused has been granted anticipatory bail by a coordinate Bench of this Court vide order dated 11.3.2016 passed in Cr. Misc. 54298 of 2015.

The counsel for the vigilance has submitted that anticipatory bail of some co-accused persons have already been rejected by this Court which fact has not been denied by the counsel for the petitioner.



From perusal of the order dated 11.3.2016 passed in Cr. Misc. 54298 granting anticipatory bail to one of the co-accused, this Court finds that the anticipatory bail has been allowed by a coordinate Bench of this Court with a direction to make deposit of Rs.50,000/- by the petitioner of that case in the court below.

From the allegation, it appears that there is specific allegation against the petitioner of getting appointment on the post of *Gramin Dak Sevak* on the basis of forged and fabricated certificate of *Bihar Sanskrit Siksha Board*.

In such circumstances, this Court is not inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner stands rejected.

(Sanjay Priya, J)

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