

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36395 of 2017

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

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Vinay Kumar, son of Shri Bhagat Singh, resident of village Madhesara,
P.O. Hanuman Nagar, P.S. Sonbarsa, Distt. Sitamarhi.

.... Petitioner/s

Versus

1. The Union of India, through C B I
2. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa, Advocate.
For the CBI : Mr. Bipin Kumar Sinha, Advocate.
For the Opposite Party/s : Mr. Sri Ram Priya Saran Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

8 24-01-2018 Heard learned counsel for the petitioner, learned
counsel for the CBI and the State.

The petitioner apprehends his arrest in **Special P.S.**
Case No. 04 of 2013 arising out of RC Case No. 03(A) of 2013
instituted for the offence under Sections 420, 467, 468, 477A of
the Indian Penal Code and Section 13(1)(d) of Prevention of
Corruption Act.

Learned counsel for the petitioner has submitted that
he has passed Matriculation examination in the year 1980 from the
Bihar School Examination Board, copy of which has been
enclosed as Annexure-2 series. It has further been submitted that
there is no question of applying on the basis of *Madhyama*
Marksheet.



Learned counsel for the CBI has appeared and submitted that this petitioner has applied for the post of *Gramin Dak Sevak (GDS)* on the basis of *Madhyama certificate* issued by *Bihar Sanskrit Siksha Board*, Patna. He has produced the original certificates seized during investigation which bears signature of the petitioner on the back side of those papers.

There is allegation in the written report that aforesaid *Madhyama certificate* submitted by this petitioner was found to be forged during investigation.

It is alleged that petitioner has applied on the basis of *Madhyama Marksheet* issued by *Bihar Sanskrit Siksha Board* with Roll Code No. 1201 and Roll No. 327 and on enquiry, the same was found to be forged certificate.

Learned counsel for the CBI has submitted that charge sheet has already been submitted against the petitioner mentioning that such certificate produced by the petitioner during investigation is false since Roll No. 327 and Roll Code 1201 for the year 2006 has been allotted to one Rakesh Kumar who has got only 436 marks in the examination

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 bail.

S.Ali/-

(Sanjay Priya, J)

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