

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50908 of 2018

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

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Amit Kumar Gupta Son of Upendra Prasad, resident of Village - Mesaurha,
P.O. Piprahi, P.S. Piprahi, District- Sheohar.

.... Petitioner/s

Versus

The Union of India through C. B. I.

.... Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 26-09-2018

Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Tr. No. 20 of 2017 arising out of C.B.I. R/C 03(A) of 2013 for the offences instituted under Sections 120B read with Sections 420, 467, 468, 477A, 471 of the Indian Penal Code and Section 13(2) read with Sections 13(1)(d) of the Prevention of Corruption Act.

The prosecution story, in brief, is that on the basis of reliable information to the effect that Gramin Dak Sewak (GDS) had been appointed in the Post Offices under the jurisdiction of Superintendent of Post, Sitamarhi on the basis of fake education testimonial issued by Bihar Sanskrit Shiksha Board in utter disregard to the laid down rules of the Postal Department during the period 2008-2012, initially, in the names of 17 candidates, the



First Information Report was lodged on the basis of preliminary enquiry, which revealed that these certificates have actually not been issued by the said Board and, thus, the certificates are fake and forged and on the basis of fake and forged certificate, the accused persons in connivance with the postal authority got appointed as Gramin Dak Sewak (GDS).

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. Petitioner has been made accused due to mistake of fact. It has further been submitted on behalf of the petitioner that he is ready to deposit an amount of Rs.50,000/- in the court below, which shall be subject to the final disposal of the case.

On behalf of the Central Bureau of Investigation, it has been submitted that the petitioner had sought for an appointment on the basis of a fake certificate.

Considering the aforesaid facts and circumstances, it is directed that the petitioner shall deposit an amount of Rs.50,000/- (Rupees Fifty Thousand) in the court below, which shall be subject to the final disposal of the case and on doing so, let the petitioner above-named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Tr. No. 20 of 2017



arising out of C.B.I. R/C 03(A)/2013 on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, C.B.I., Muzaffarpur, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Birendra Kumar, J)

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