

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 58166 of 2018

Arising Out of PS. Case No.-335 Year-2017 Thana- SONO District- Jamui

Mustafa Ansari @ Mustaf Ansari, Son of Ismail Mian, Resident of Village-
Ganda, P.S.- Charka Pathar, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar through Vigilance Department.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 13-12-2018

Heard learned counsel for the petitioner and learned
counsel for the Vigilance.

2. The petitioner apprehends arrest in Sono P. S. Case
No. 335 of 2017 instituted under Sections 420/467/468/471 and
120 B of the Indian Penal Code.

3. The allegation against the petitioner is that he had got
appointment on the post of teacher, on the basis of forged
marksheet.

4. Learned counsel for the petitioner submitted that
though the Vigilance enquiry shows that in his marksheet, the
aggregate was shown 482 but actually it was 302, however, the
detailed break-up of the marks subject-wise has not been shown.



It was submitted that thus, the enquiry by the Vigilance cannot be said to be proper. Learned counsel also produced copy of order dated 08.10.2018, by a co-ordinate Bench of this Court in Cr. Misc. No. 48324 of 2018, in the case of Rani Kumari Vs. The State of Bihar and Anr., who has been granted Anticipatory Bail being an accused in the same case.

5. Learned counsel for the Vigilance submitted that upon verification from the record maintained in the T.R. of the issuing authority, it has been found that aggregate marks, which is reflected in the marksheet produced by the petitioner is 482, which is incorrect, as the same is only 302, which clearly proves that the marksheet is forged and fabricated.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on anticipatory bail.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

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