

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.3873 of 2018**

Arising Out of PS. Case No.-16 Year-2016 Thana- C.B.I CASE District- Patna

Navin Kumar, S/o Late Ram Briksh Das, Resident of Dadar, P.O.-Kolhua, Paigamberpur, P.S.-Ahiyapur, District-Muzaffarpur, Presently Put off Duty on the Post of GDS (Packer) M.I.T.S.O. Muzaffarpur H.Q. under West Sub-Division, Muzaffarpur.

... .. Petitioner/s

Versus

Union of India through the Central Bureau of Investigation, Patna.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Mahesh Prasad, Advocate.

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

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH**  
**ORAL JUDGMENT**

**Date : 19-09-2018**

Heard learned counsel for the petitioner and the Central Bureau of Investigation (hereinafter referred to as the 'CBI').

2. The petitioner apprehends arrest in Special Case No. 10 of 2016 in RC 0232016A0016 or RC Case No. 16A/2016 dated 03.08.2016 instituted under Sections 120B, 420, 468 and 471 of the Indian Penal Code and Section 13(3) read with 13(1)(d) of the Prevention of Corruption Act, 1988.

3. This is the second attempt of the petitioner seeking anticipatory bail as earlier such prayer was rejected by order dated 10.08.2017 in Cr. Misc. No. 28856 of 2017.

4. Learned counsel for the petitioner submitted that a



sympathetic view may be taken as the petitioner, a General Dak Sevak, is under suspension. Besides the same, learned counsel has also drawn attention of the Court to various orders of co-ordinate Benches by which similarly situated co-accused have been granted the privilege of anticipatory bail.

5. Learned counsel for the CBI submitted that chargesheet has been submitted against the petitioner and he, having obtained employment on forged and fabricated certificate, has not only committed a criminal offence but has also snatched the right of a genuine person who could not get employment and the petitioner has played fraud with the system. Learned counsel further submitted that the previous order of rejection dated 10.08.2017 has not been interfered by the Hon'ble Supreme Court, which has dismissed the Special Leave to Appeal by order dated 15.09.2017.

6. Having regard to the aforesaid and keeping in view the fact that no mitigating circumstances, after the previous order of rejection, having been brought to the notice of the Court to merit consideration, the application stands dismissed.

7. However, in the event the petitioner surrenders and prays for regular bail before the court below within four weeks from today, the same shall be considered on its own merits, in



accordance with law, without being prejudiced by the present order.

(Ahsanuddin Amanullah, J)

sujit/-

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