

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15457 of 2019**

Arising Out of PS. Case No.-350 Year-2018 Thana- HUSSAINGANJ District- Siwan

Kunal Sharma aged about 32 years, (Male), son of Krishan Murari Sharma,
Resident of Village-Aranda, M.H. Nagar, P.S.-Husainganj (M.H. Nagar),
District-Siwan.

... .. Petitioner

Versus

The State of Bihar Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Abhishek Kumar, Advocate
For the Opposite Party : APP

**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER**

2 14-03-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 467, 468, 471,419 and 420 of the Indian Penal
Code registered in connection with Husainganj (M.H. Nagar) P.S.
Case No. 350 of 2018.

3. It is submitted that the petitioner has been falsely
implicated on the accusation that the certificate of marks-sheet of
B.A. Course granted by the petitioner who was running “Spectrum
Education” in Siwan as franchisee of Global Open University,
Nagaland was not genuine as the informant had not appeared at the
examination.

4. It is submitted that the entire allegation is completely
false and as a matter of fact, the informant himself had obtained the
certificates from the Global Open University Nagaland. The said
University by its letter dated 19.04.2016 had confirmed genuineness
of the petitioner's mark-sheet no. 05260, 155107, 155105 (Annexure-
2). The first information report filed about more than two years
thereafter is thus not worthy of credence.



5. Learned APP assisted by learned counsel for the informant appears and has been heard.

6. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Husainganj (M.H. Nagar) P.S. Case No. 350 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

BT/-

(Vikash Jain, J)

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