

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21187 of 2019

Arising Out of PS. Case No.-131 Year-2018 Thana- ROH District- Nawada

SHIVENDRA SINGH @ SHIVENDRA KUMAR SINGH @ SHIVENDRA
KR. SINGH Son of Faggu Singh Resident of Village - Sakraudha, P.s.-
Noorsarai, Distt.- Nalanda, At Present Posted as B.H.W. PHC Sadar, P.S.-
Nawada, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhu Prasun

For the Opposite Party/s : Mr.Ashraf Ansari

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-04-2019 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections
341,467,468,406,471,472,420,120B,167 and 168/34 of the IPC.

The prosecution case as per the complaint filed by
Yadunandan Yadav which came to be registered as Roh P.S.
Case No. 131 of 2018 after the complaint being trasnferred
under Section 156(3) of Cr.P.C., is to the effect that that the
informant being RTI activist levelled allegation against Dr.
Ashok Kumar Singh and Dr. Deepak Kumar posted at Roh
Primary Health Centre, that they issued about four thousand
forged birth certificate between 2013 to 2016. The petitioner
was posted as Clerk in the Primary Health Centre, Roh.



It is submitted by learned counsel for the petitioner that the certificates were issued with the certification of the doctor and the accusation is specific against the aforesaid doctors and not against the petitioner. Moreover, during enquiry conducted by the District Statistical Officer-cum-Deputy Development Officer, Nawada, it was found that there is no misappropriation of fund. However, some birth certificates have been issued to the persons who were not even born on the date of issuance of certificates. It is further submitted that similarly situated Clerk Neel Kamal Bharti has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 5.3.2019 passed in Cr. Misc. No. 11863 of 2019. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner is named in the FIR and the entire system including the Medical Officers of the said hospital contributed in issuance of forged birth certificates.

Considering the fact that the investigation has already been concluded and similarly situated co-accused has been granted anticipatory bail by a Co-ordinate Bench of this Court, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of



Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Nawada in connection with Roh P.S. Case No.131 of 2018 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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