

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24328 of 2019**

Arising Out of PS. Case No.-99 Year-2019 Thana- KOTWALI District- Patna
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SAYED ISHRAT HUSSAIN, aged about 69 years, male, Son of Late Sayed Jamir Hussain Resident of Mohalla - Afjalpur, P.S.- Pirbahore, District - Patna.

... .. Petitioner

Versus

1. THE STATE OF BIHAR
2. The Bihar School Examination Board, Patna Bihar

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Rama Kant Sharma, Sr. Advocate. Mr. L.K. Sharma, Advocate.
For the State	:	Mr. Ajay Mishra, APP
For the B.S.E.B.	:	Mr. Amarendra Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 22-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 417, 418, 419, 420, 468, 469, 471, 120(B) of the Indian Penal Code registered in connection with Kotwali P.S. Case No. 99 of 2019.

3. It is submitted that the petitioner has been falsely implicated merely because he happens to be the Assistant Secretary of the Bihar School Examination Board. It is submitted that the file relating to appointment of teachers proceeded from the level of Clerk to the Section Officer and finally to the petitioner who accordingly signed the same without knowledge



of forged certificate. It is submitted that the petitioner retired in the year 2011 and completed the term of his extended employment in 2015 and at present he is aged about 70 years.

4. Learned APP submits that the petitioner was the authority holding a responsible post, but he had recommended for appointment of teachers based on forged certificates. The petitioner has a criminal antecedent of similar nature.

5. Having regard to the nature of accusations and the gravity of the offence alleged, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. The anticipatory bail petition stands dismissed.

6. Needless to say, if the petitioner surrenders and seeks regular bail before the learned Court below, the same shall be considered on its own merit in accordance with law.

(Vikash Jain, J)

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