

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43694 of 2019

Arising Out of PS. Case No.-5 Year-2019 Thana- BARAULI District- Gopalganj

SAMIR YADAV S/o Late Ramayan Yadav R/o village- Barari, P.O.- Sani,
Basantpur Via Mustafapur, P.S.- Gautam Buddh Nagar (Tarwara), Distt.-
Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. The vigilance Department of Bihar, Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhuneshwar Pandey
For the Opposite Party/s : Mr.Ajay Mishra

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

5 27-11-2019 Heard learned counsel for the petitioner as well as
learned Addl. P.P.

Apart from having been given some privilege at the end of the High Court under CWJC No. 15459 of 2014, wherein the persons who succeeded in getting employment on fake certificate were allowed to resign, some of the dare devils even continued and in the aforesaid background, there was inspection of certificates by the Vigilance Department, so directed and during course thereof, petitioner along with Ravi Raj as well as Rajesh Kumar have been found possessing false certificate whereupon, on a written report submitted by Inspector police, Vigilance Department, this case has been instituted.



Basically, petitioner asked for parity in the background of order dated 29.05.2019 whereby and whereunder co-accused Ravi Raj has been granted anticipatory bail under Cr. Misc. No. 35198/2019.

Apart from the fact that the written report contains relevant document justifying the prosecution, paragraph 24 of the case diary contains the material having so based upon verification of relevant registers kept at BSEB, Patna wherefrom the allegation against the petitioner as well as Ravi Raj, is found duly substantiated. That being so, prayer for anticipatory bail of the petitioner is hereby rejected.

The interim privilege granted at an earlier occasion, vide order dated 16.07.2019, will cease to survive.

However, from the order of Co-ordinate Bench, it is evident that aforesaid material was not available and that being so, prosecution is at liberty to proceed in accordance with law, if it so desires against co-accused Ravi Raj.

(Aditya Kumar Trivedi, J)

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