

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42627 of 2019

Arising Out of PS. Case No.-320 Year-2018 Thana- BISFI District- Madhubani

MD. MUNNA Son of Abdul Sattar Resident of Village- Raje, P.S.-
Manigachhi, District- Darbhanga. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. N. A. Shamsi, Advocate

Mr. Rashid Rais, Advocate

For the Opposite Party/s : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 20-11-2019 Heard learned counsel for the petitioner and learned
APP representing the State.

The petitioner in this case is seeking anticipatory bail
in connection with Bisfi P.S. Case No. 320 of 2018 registered
for the offences punishable under Sections 419, 420, 409, 466,
467, 468, 471 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
authority concerned has not taken into consideration the second
report submitted by the institution which shows that after proper
verification of records of the University it was found that
petitioner passed his matriculation (10th) and Intermediate (12th)
examination in the year 2008 and 2010 respectively.

It is further submitted that the petitioner has been
dismissed from the service taking into account the earlier report
which was itself an email copy not authenticated from any



corner.

Learned counsel for the State has opposed the prayer of anticipatory bail.

Considering the facts and circumstances of the case where the same institution has submitted the two different reports and in one of which the marks-sheet of the petitioner is said to be true and genuine and even the learned Additional Sessions Judge VI, Madhubani while rejecting the prayer of anticipatory bail has noticed the said discrepancy and further fact that the petitioner has already been terminated from service, let the petitioner above named in the event of his arrest or surrender within a period of four weeks from today in connection with Bisfi P.S. Case No. 320 of 2018 be released on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Benipatti, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any



person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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