

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9042 of 2019

Arising Out of PS. Case No.-330 Year-2016 Thana- GANDHIMAIDAN District- Patna

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Braj Nandan Singh son of Late Jageshwar Singh, resident of mohalla Mahavir Nagar, Road No. 7 Beur, PS-Beur, District-Patna, presently posted as District Programme Officer, Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

For the Opposite Party/s : Mr.Ajay Mishra

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

8 25-07-2019 Heard learned counsel for the petitioner and learned counsel for the State.

2. In this case, the petitioner is seeking anticipatory bail in connection with Gandhi Maidan P.S. Case No. 330 of 2016 registered for offence punishable under sections 406, 420 and 408 of the Indian Penal Code.

3. Allegation has been made that the bogus list of schools and students for the scholarship below the 9th class for the category of SC/ST/OBC was prepared from the office of the petitioner and he has put his signature in the said list, later on, it transpired that the certain schools were bogus as well as students were also bogus that led to institution of the present case.



4. As has been submitted by the counsel for the petitioner that when the petitioner could know about sending of bogus list with respect to granting scholarship, he himself has filed a case and the Police did not find any involvement of the petitioner. It has further been submitted that in the department proceeding was initiated, one Manoj Kumar, who was preparing the list, was found involved in creation of the bogus list. He further submits, in fact, the employees of the Welfare Department are really involved in this episode and in order to save their skin, the present case has been lodged by them whereas the State submits that the list of students and schools have been prepared by the office of the petitioner and he has signed on the list as he joined in the office in month of December and the said list has been sent after March and as such, it is very much apparently clear that he was somehow and other is also involved in creation of the bogus list, in view of the fact that the scholarship has been paid to some bogus students as well as transmitted to some bogus schools.

5. Looking to the entire facts and circumstances of the case, at this stage, this Court is not inclined to grant bail to the petitioner and accordingly his prayer for bail is rejected. However, if the petitioner surrenders before the court below and



prays for regular bail, the court below preferably will take
decision in accordance with law on the same day.

(Shivaji Pandey, J)

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