

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26949 of 2021

Arising Out of PS. Case No.-3 Year-2013 Thana- C.B.I CASE District- Patna

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AJEET KUMAR SINGH @ AJEET KUMAR Son of Birendra Prasad Singh
@ Virendra Singh, Resident of Village - Chaturpatti, P.S. - Paroo, District -
Muzaffarpur.

... .. Petitioner

Versus

State through C.B.I.

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur, Advocate
: Mr. Devendra Kumar, Advocate
For the Opposite Party/s : Mr. Bipin Kumar Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 07-10-2021 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Bipin
Kumar Sinha, learned Standing Counsel for the C.B.I.

Petitioner in the present case is seeking regular bail in
connection with Special Case No. 04 of 2013 arising out of R.C.
03/A/2013 registered for the offences punishable under Sections
120B, 420, 467, 468, 477A and 471 of the Indian Penal Code
and Sections 13(2), 13(1)(d) of PC Act, 1988. He is in custody
since 17.12.2020. Petitioner has got no criminal antecedent.

As per the prosecution story several Gramin Dak
Sewaks (G.D.S.) have been appointed in the Post Offices under



the jurisdiction of Superintendent of Post, Sitamarhi on the basis of fake educational testimonials allegedly issued by the Bihar Sanskrit Shiksha Board and other institutions. It is alleged that this petitioner is one of those persons who got appointment on the basis of the fake and forged certificate in connivance with the postal authorities.

Learned counsel for the petitioner submits that it is a case of false implication of the petitioner. The petitioner got his appointment on the basis of the Madhyama marksheet of Bihar Sanskrit Shiksha Board and only after verification of the said certificate, the appointments were made. At this stage, it is being alleged that the petitioner had got the appointment in connivance with the Superintendent of Post. Learned counsel submits that in the present case, the co-accused who are the officials of the Department of Post have been granted bail in Cr. Misc. No. 48588 of 2015 (annexure 2).

Learned counsel has placed before this Court a list of cases showing that altogether nine co-accused similarly situated have been granted privilege of anticipatory bail by different learned co-ordinate Benches of this Court and six have been granted privilege of regular bail. Recently the two similarly situated accused namely Randhir Kumar and Rakesh Kumar



have been granted bail by two learned co-ordinate Benches of this Court in Cr. Misc. No. 32767 of 2021 and Cr. Misc. No. 30188 of 2021 respectively. Submission is that the petitioner having spent about nine months in custody, till date the charge has not been framed and the further incarceration of the petitioner is not likely to come in aid of the prosecution.

Mr. Bipin Kumar, learned Standing Counsel for the C.B.I. has though opposed the prayer for bail of the petitioner but does not dispute that co-accused similarly situated have been granted privilege of anticipatory bail as well as regular bail by different learned co-ordinate Benches of this Court, however, he submits that he has no information whether the charges have been framed or not.

Considering the facts and circumstances of the case, the case of the petitioner being similarly situated with the co-accused, this Court directs release of the petitioner on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Special Judge, C.B.I.-II, Patna in connection with Special Case No. 04 of 2013 arising out of R.C. No. 03/A/2013 subject to the condition as laid down under Section 437 (3) Cr.P.C.



And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

