

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 33946 of 2020

Arising Out of PS Case No.-299 Year-2012 Thana- CHAPRA TOWN District- Saran

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Murli Prasad, Gender-Male, aged about 42 years, Son of Late Ramjatan Prasad, Resident of Village and PO- Pachauri, PS- Gahmar, District- Gazipur (Uttar Pradesh).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Giri, Advocate

For the State : Ms. Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 05-04-2021

Heard Mr. Sanjay Kumar Giri, learned counsel for the petitioner and Ms. Meena Singh, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

2. The petitioner apprehends arrest in connection with Chapra Town PS Case No. 299 of 2012 dated 18.10.2012, instituted under Sections 467, 468 and 420 of the Indian Penal Code.



3. The allegation against the petitioner is that he obtained a job in the Rural Works Department on the basis of forged certificate.

4. Learned counsel for the petitioner submitted that he is a resident of the State of Uttar Pradesh and soon after termination of his service in the year 2012, he had gone back to his village and was unaware of the pendency of the present case and, thus, has moved late. It was submitted that the petitioner had been duped by middlemen through whom he had got the job and has no role in committing such forgery. Learned counsel further submitted that similarly situated co-accused Lalit Kumar has been granted anticipatory bail by a co-ordinate Bench by order dated 29.04.2013 passed in Cr. Misc. No. 13423 of 2013, whereas Kashi Ram has been granted anticipatory bail by order dated 21.03.2014 passed in Cr. Misc. No. 3013 of 2014.

5. Learned APP submitted that the petitioner does not deny that his appointment was based on forged certificate and also that he had got the employment through middlemen which itself shows his complicity. Further, it was submitted that the petitioner has moved the Court after eight years whereas the other persons who have been granted bail had moved soon after lodging of the FIR in the year 2013 and 2014 itself.



6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to grant pre-arrest bail to the petitioner.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

P. Kumar

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