

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4650 of 2021

Arising Out of PS. Case No.-79 Year-2020 Thana- MOTIHARI TOWN District- East
Champaran

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1. ASHUTOSH KUMAR AMAN Son of Brajendra Kumar Yadav, Resident of Village - Naulakhiya, Ward No. 1, P.S.- Madhepura, District - Madhepura.
 2. Sanket Kumar, Son of Raja Ram Raman, Resident of Village - Azad Nagar, Ward No. 9, P.S.- Madhepura, District - Madhepura.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Pd. Singh, Sr. Adv.
	:	Mr. Bhaskar Shankar, Adv.
For the Opposite Party/s	:	Ms. Suman Kumari, Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-11-2021 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 467, 468, 471, 420/34 of the Indian Penal Code.

Prosecution case, in brief is that the informant namely, Md. Sahadat Hussain happens to be District Panchayat Officer sent a letter to the S.H.O. of Town P.S. on 18.01.2020 alleging there in that the application for niyojan on the post of Technical Assistant on the basis of contract in the light of resolution no. 4046 dated 25.07.2018 where invited. At the time of counselling the document filled by the applicants where verified through concern educational institution and during course of



verification, education qualification certificate of 08 candidates were formed to be forged.

It has been submitted by learned counsel for the petitioners that the petitioners are innocent and have falsely been implicated in this case. There is no specific allegation against the petitioner. There is general and omnibus allegation against him. It is pertinent to mention here that the petitioners have not been selected, hence there is no loss of state exchequer.

It has been further submitted that from perusal of material on record it is apparent that on 15.05.2019 itself petitioners wrote a letter to District Panchayat Raj Officer, East Champaran with regard to wrong entry of DMC No. in Certificate during counseling but hence, it is case to bonafide mistake. They have got no criminal incident.

Learned APP for the State vehemently opposed the prayer for bail of the petitioners.

In the aforesaid facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned



court below where the case is pending in connection with
Motihari (Town) P.S. Case No. 79/2020, subject to the
conditions as laid down under Section 438 (2) of the Code of
Criminal Procedure.

(Sunil Kumar Panwar, J)

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