

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36744 of 2022

Arising Out of PS. Case No.-558 Year-2021 Thana- PHULWARISHARIF District- Patna

DIPAK KUMAR S/o Chandeshwari Thakur Resident of Mohalla-Purani
Bazar, P.O. and P.S.-Purani Bazar, District-Madhepura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niraj Kumar, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 420 and 406 of the
Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant
alleges that petitioner based on forged and fabricated experience
certificate secured appointment as Storekeeper in AIIMS, Patna.

Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the present case, it is next
submitted that petitioner had the requisite experience from
Rajeshwar Hospital, Patna. It is also submitted that petitioner had
worked in Rajeshwar Hospital as Assistant Storekeeper on ad-hoc
basis from 01.04.2017 to 31.05.2019, it is next submitted that even



during departmental proceeding, one ex-employee of Rajeshwar Hospital namely Utkarsh had identified the petitioner that during his tenure petitioner was posted at Rajeshwar Hospital.

Learned counsel for the petitioner next submits that petitioner is being proceeded departmentally and as such the present case is definitely an abuse of the process of the Court for the reason that in the event, if the petitioner is acquitted in departmental proceeding, then how the present F.I.R would lie.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Phulwarisharif P.S. Case No. 558 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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