

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57460 of 2021

Arising Out of PS. Case No.-149 Year-2021 Thana- BAHERI District- Darbhanga

Sanjay Kumar Lal Son Of Ram Chandra Prasad Resident Of Village - Baheri,
P.S.- Baheri, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra, Adv.

For the BSEB : Mr. Gyan Shankar, Adv.

For the Opposite Party/s : Mr. Ajay Mishra, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 20-09-2022

Heard learned counsel for the parties.

Learned counsel for the petitioner undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 420, 467, 468, 471 and 120B of the Indian Penal Code.

Allegation against the petitioner is that he got the job on the basis of forged document.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that mark-sheet is given by the college and their TR Register had mach of this mark-sheet. He submits that it is a case of mistake of facts and incomplete verification for which the petitioner has already moved before this Court by filing a writ application. He



submits that there is no chance of tampering of evidence or absconding by the petitioner. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned counsel for the BSEB by filing a supplementary counter affidavit has submitted that the Bihar School Examination Board has corrected the mark-sheet of the petitioner and fresh mark sheet has been issued to him.

As fresh corrected mark-sheet has been issued to the petitioner, hence, no case is made out against him.

Considering the facts and circumstances of the case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Baheri P.S. Case No. 149 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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