

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9469 of 2023

Arising Out of PS. Case No.-303 Year-2022 Thana- BIHAR District- Nalanda

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RANJAN KUMAR S/O SURESH CHAUDHARY Resident of village-
Jamuawan, P.O.- Apsar, Apsand, P.S.- Kashichak, District- Nalanda.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Gaurav Prakash, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 17-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner, in the present case, is seeking pre-arrest bail in connection with Bihar P.S. Case No. 303 of 2022 registered for the offences punishable under Sections 467, 468, 471, 420 and 120(B) of the Indian Penal Code. He has no criminal antecedent as stated in paragraph '3' of the application.

The allegation against the petitioner is that he got his appointment as a teacher on the basis of forged and fabricated educational certificate of B.Ed. The concern University namely, Dr. C.V. Raman University, Bilaspur (Chattisgarh) informed, in course of verification of the certificate, that it is forged.

Learned counsel for the petitioner submits that he had contacted Sai International Institute of Technology and Management, Nardiganj, Nawada on the advertisement for



availing B.Ed. Degree from Dr. C.V. Raman University, Bilaspur (Chhatisgarh) and paid the requisite amount to the institute for getting B.Ed. Degree.

It is further stated that in similar kind of matter, one of the accused has been granted privilege of anticipatory bail by a learned coordinate Bench of this Court in Cr. Misc. No. 56657/2022.

On the other hand, learned counsel for the State submits that the present case has been lodged in the light of the directions of this court in a Public Interest Litigation being CWJC No. 15459/2014. The petitioner, despite having an opportunity to resign from the service did not resign and continued as teacher. In course of verification of his certificate of the B.Ed. It was found to be a forged certificate. Thus, the F.I.R. has been lodged.

Having regard to the facts and circumstances of the case, on finding that the present F.I.R. has been lodged in the light of the order of this Court passed in CWJC No. 15459/2014 after verification of the certificate of the petitioner which has been found to be forged, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

So far as the bail granted to the another accused in a



similar kind of matter is concerned, this Court does not find any mention in the order that the said case was lodged pursuant to an order of this Court.

This application is dismissed.

In case, the petitioner surrenders and prays for regular bail in the learned court below within a period of four weeks from today, his prayer for regular bail shall be considered on it's own merit without being prejudiced by the order of this court.

(Rajeev Ranjan Prasad, J)

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