

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27465 of 2023

Arising Out of PS. Case No.-619 Year-2022 Thana- FATEHPUR District- Gaya

VIKASH KUMAR @ VIKASH KR. Son of Sunil Yadav Resident of village -
Raghuni Bigha, P.S. - Fatehpur, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate
For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 11-09-2023

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for grant of anticipatory bail apprehending his arrest in connection with Fatehpur P.S. Case no.619 of 2022 registered for the offence punishable under sections 406, 420, 467, 468 and 34 of the Indian Penal Code.

3. As per the prosecution case, it was found in course of enquiry that the petitioner got himself enrolled in the school in question in a fraudulent manner by use of duplicate and forged transfer certificate on the basis of which he got himself declared as a juvenile in connection with Fatehpur P. S. Case no. 410 of 2021 which led to the registration of the instant FIR.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the



case. No forged documents were either provided by this petitioner nor any interpolation has been done by him. Learned counsel for the petitioner submits that it was the Juvenile Justice Board, Gaya who conducted the enquiry, got the report from the school itself and on the basis of the report received declared the petitioner to be a juvenile. The petitioner has no role to play in the said matter. The petitioner has not moved earlier for anticipatory bail except in Fatehpur P.S. Case no.410 of 2021.

5. The prayer for bail is opposed by learned APP for the State who submits that not only forged documents were used for getting the petitioner declared juvenile but it is the petitioner who is a beneficiary of the said act.

6. Having heard learned counsel for the parties and having perused the materials on record, it transpires that forged birth certificate was used in course of enquiry being conducted in connection with Fatehpur P.S. Case no.410 of 2021 which led to the petitioner being declared juvenile and it is in course of enquiry being conducted under the direction of this Court in Cr. Rev. no. 644 of 2021 that the facts came to light.

7. In view of the facts and circumstances of the case, the Court is not inclined to enlarge the petitioner on bail and the



application is rejected.

8. The petitioner is directed to surrender before the learned Court below within a period of four weeks. If the petitioner surrenders within the aforesaid period and prays for bail, the same shall be considered by the learned Court below on its own merit without being prejudiced by this order of rejection.

(Partha Sarthy, J)

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