

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30922 of 2023

Arising Out of PS. Case No.-682 Year-2022 Thana- SHERGHATI District- Gaya

MD. ASHMAT SON OF SAUKAT ALI R/O-SHUMALI, MASJID GALI,
P.S.-SHERGHATI, DISTT.-GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar
For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-07-2023 Heard the learned counsel for the petitioner and the learned
A.P.P. for the State.

2. This is an application for grant of anticipatory bail in connection with Sherghati P.S. Case No. 682 of 2022, registered for the offence punishable under Section 467, 468, 471, 477(A), 420, 120(B), 34 of the Indian Penal Code.

3. The allegation is regarding the petitioner having obtained employment as a daily wager at the office of the Nagar Parishad, Sherghati, on the basis of forged and fabricated educational qualification certificates.

4. The learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. The learned counsel for the petitioner has further submitted that the petitioner is an accused in three other cases,



but he is on bail in the said three cases. The learned counsel for the petitioner has further submitted that the petitioner was engaged as a Safai Karamchari on daily wages, hence, there was no requirement of submitting any certificate regarding him possessing educational qualifications, thus, the allegation levelled in the FIR is false and fabricated. It is further submitted that the petitioner is not working in the office of the Nagar Parishad , Sherghati, since the year, 2022.

5. Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner, taking into account the materials available on record as also considering the fact that it is the specific averment of the learned counsel for the petitioner that since the petitioner was employed as Safai Karamchari on daily wages, there was no requirement of possessing any educational qualification, apart from the fact that he is not working in the office of the Nagar Parishad, Sherghati since the year, 2022, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

7. Accordingly, the petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before



the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, 1st Sherghati, District-Gaya in connection with Sherghati P.S.Case No. 682 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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