

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34861 of 2023

Arising Out of PS. Case No.-3 Year-2013 Thana- C.B.I CASE District- Patna

RAJESH KUMAR S/o- AMIR LAL SAH R/v- PO- Patdaura Ps- Bajpatti
Dist- Sitamarhi

... .. Petitioner/s

Versus

The Union of India through CBI Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Devendra Kumar , Advocate
For the C.B.I	:	Mr. Avanish Kumar Singh, Advocate , S.P.P, C.B.I
		Mr. Ambar Narayan, Advocate
		Mrs. Barkha, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 2 27-07-2023 1. Heard learned counsel for the petitioner and the State.
2. Petitioner apprehends arrest in a case registered for the offence punishable under sections 420, 467, 468, 477A, 471 of the Indian Penal Code and Section 13(2) r/w Section 13(1) of the Prevention of Corruption Act.
3. The prosecution story, in brief, is that on the basis reliable information to the effect that Gramin Dak Sewak (GDS) had been appointed in the Post Offices under the jurisdiction of Superintendent of Post, Sitamarhi on the basis of fake education testimonial issued by Bihar Sanskrit Shiksha Board in utter disregards to the laid down rules of the Postal Department during the period 2008-2012, initially, in the names of 17



candidates, the First Information Report was lodged on the basis of preliminary inquiry, which revealed that these certificates have actually not been issued by the said Board and, thus, the certificates are fake and forged and on the basis of fake and forged certificate, the accused persons in connivance with the postal authority got appointed as Gramin Dak Swak (GDS).

4. It has been submitted on behalf of the petitioner that petitioner has been appointed after due verification of the record by the competent authority and without giving any notice, the same has been declared forged and fabricated. Moreover, in this case, chargesheet had already been submitted and there is no allegation of tampering with the evidence against this petitioner. Similarly situated co-accused persons has already granted bail by this Court vide order dated 12.05.2023 in Cr. Misc. No. 73338 of 2022. Petitioner claims clean antecedent.

5. On behalf of the Central Bureau of Investigation, it has been submitted that the petitioner at the time appointment on the post of Gramin dak Sewak produced forged and fabricated certificate of Bihar Sanskrit Siksha Board, Patna, which was not issued by the said Board. Chargesheet has



already been submitted against this petitioner under the aforesaid offences.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, C.B.I. Muzaffarpur in connection with C.B.I. R/C 023620/3(A)-003 Tr. No. 20 of 2017, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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