

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40092 of 2023

Arising Out of PS. Case No.-204 Year-2023 Thana- PIRBAHOR District- Patna

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DR ANIL KUMAR @ ANIL KUMAR SON OF LATE INDRADEO SINGH
THE THEN OFFICER ON SPECIAL DUTY, GAYA ENGINEERING
COLLEGE, GAYA, RETIRED ASSISTANT PROFESSOR (CHEMISTRY)
CUM IN-CHARGE PRINCIPAL SHERSHAH ENGINEERING COLLEGE,
SASARAM PRESENT RESIDENT OF CHICHAURA HOUSE Q. NO. C/C-
22, P.C. COLONY, PO. LOHIYANAGAR, PS - KANKARBAGH,
DISTRICT - PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Niraj Kumar, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-07-2023 Heard learned counsel for the petitioner, learned

A.P.P. for the State and learned counsel appearing on behalf of

Rajendra Prasad Singh who had initially instituted an FIR with

the same allegation as alleged in the present FIR which has been

instituted by the department.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 419, 467,
468 and 471 of the Indian Penal Code.

Learned counsel for the petitioner submits that
petitioner has antecedent of one case but then the said
antecedent is arises from the present allegation. It is further



submitted that the allegation against the petitioner is of securing promotion based on forged certificate being a Doctor in the department of Science and Technology.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is further submitted that Rajendra Prasad Singh had earlier instituted a complaint case based on the same set of allegation as alleged in the present FIR in which cognizance has been taken and the petitioner was granted the privilege of anticipatory bail by a Coordinate Bench of this Court vide order dated 09.09.2022 in Cr. Misc. No. 54320 of 2021. Learned counsel thus submits that when on the same set of allegation the present FIR has been instituted and the petitioner was granted the benefit of anticipatory bail no useful purpose would be served by sending him to jail.

Learned A.P.P. for the State and learned counsel for Rajendra Prasad Singh appeared and opposed the prayer for anticipatory bail of the petitioner but are not in a position to rebut the submission of the learned counsel for the petitioner that earlier on same set of allegation a complaint was filed in which the petitioner had been granted the privilege of anticipatory bail.



Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten 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 Pirbahore P.S. Case No. 204 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

However, it is made clear that if the learned trial court comes to a conclusion that petitioner after obtaining anticipatory bail is trying to delay the trial of the case in any manner the learned trial court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

(Satyavrat Verma, J)

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