

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60159 of 2023

Arising Out of PS. Case No.-39 Year-2023 Thana- SACHIVALAYA District- Patna

Sanoj Kumar, Son of Mangal Sah, R/O-Gaura Ward No. 15, P.S.-Saur Bazar,
Distt.-Saharsa.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Hare Krishna Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Sachiwalaya P.S. Case No. 39 of 2023 registered for the offences punishable under Sections 420, 467, 468, 471/34 of the Indian Penal Code. He has got no criminal antecedent.

3. As per the prosecution story, on the basis of written report of the informant Rakesh Gupta, Deputy Secretary, Bihar Technical Service Commission in which it has been stated that online application for 6449 posts of Junior Engineer was called for under Employment Notice No. 01 of 2019 and there was provision for appointment on the basis of marks obtained by the candidates in the Diploma Engineering. It is alleged that before appointment, documents were verified from the concerned



issuing institutions and in course of verification, it was found that 417 candidates including this petitioner have produced fake certificates. Accordingly, the FIR was registered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that similarly situated co-accused Rajkumar has already been granted privilege of anticipatory bail by a learned Co-ordinate Bench of this Court in Cr. Misc. No. 42361 of 2023.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the facts and circumstances of the case wherein it is submitted that similarly situated co-accused Rajkumar in Cr. Misc. No. 42361 of 2023 has been granted privilege of anticipatory bail by a learned Co-ordinate Bench of this Court and learned APP for the State admits at the Bar that the case of the petitioner is similarly situated with the co-accused Rajkumar, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named be released on bail in connection with Sachiwalaya P.S. Case No. 39 of 2023 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two



sureties of the like amount each to the satisfaction of learned C.J.M., Patna, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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