

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62724 of 2023

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

1. MD. NEHAL ZAFAR S/o Md. Sultan Zafar R/o Near Madina Masjid, Nabiganj, Kadipur, P.S.-Khaira, District-Saran
2. ARSHI NADEEM S/o Md. Quasim Ansari R/o Nagra, P.S.-Khaira, District-Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ajay Mishra, Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-10-2023 Heard learned counsel for the parties.

2. Petitioners apprehends arrest in a case registered for the offence punishable under sections 420, 467, 468 , 471 and 34 of the Indian Penal Code.

3. As per the prosecution case, 417 candidates including these petitioners submitted fake and forged certificate in pursuance of an advertisement issued for an appointment of Junior Engineer.

4. It is submitted on behalf of the petitioners that, without holding any proper inquiry, the petitioners had the



opportunity of hearing to explain their side of the case; perhaps the present FIR would not have been instituted. It is also submitted that the petitioners have not been appointed to the post of junior engineer.

5. Learned counsel for the state opposes the bail petition and submits that petitioner No. 2 is a habitual offender of the alleged occurrence and has got one criminal antecedent of similar nature.

6. Considering the aforesaid facts that petitioner No. 1 has not been appointed on the post of Junior Engineer, in the event of arrest or surrender within six weeks from today, let the petitioner No. 1 (Md. Nehal Zafar) , 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 J . M. 1st Class, Patna in connection with Sachivalay P.S. case No. 39 of 2023 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

7. Considering the facts and circumstances of the case and also fact that petitioner No. 2 has got one criminal antecedent of similar nature , prayer for pre-arrest bail of the petitioner No. 2



is rejected.

(Prabhat Kumar Singh, J)

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