

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.16 of 2020

Arising Out of PS. Case No.-739 Year-2019 Thana- SUPAUL District- Supaul

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1. Santosh Kumar @ Santosh Kumar Mehta Son of Bhuvneshwar Mehta Resident of Village - Mohanpur, P.O.- Balbhadrapur, P.S.- Beerpur, Block- Basantpur, District- Supaul
 2. Nripendra Goait Son of Bisheshwar Goait Resident of Village - Piparahipatti, Post- Basawanpatti, P.S.- Ratanpura, Block - Basantpur, District- Supaul
 3. Sudha Saloni D/O - Suresh Choudhary, W/O - Amit Kumar Resident of Village and Post - Maheshpur, P.S. and Block- Pipara, District- Supaul
 4. Mahesh Kumar Son of Tetar Yadav Resident of Village - Hanumannagar, P.O.- Basantpur, P.S. and Block - Beerpur, District- Supaul
 5. Raviranjana Kumar Son of Devnanadan Sah Resident of Village - Rajgaon, P.O.- Koriyapatti, P.S.- Jadiya, Block - Triveniganj, District- Supaul
 6. Arjun Kumar Son of Jagdish Bhuskulia Resident of Village and P.O. - Hariharpur, P.S. and Block - Chhatapur, District- Supaul
 7. Lalan Kumar Son of Parmanand Prasad Yadav Resident of Village - Daha, P.O.- Babhani, P.S. and Block - Gamhariya, District- Madhepura
 8. Manoj Kumar Singh Son of Bharat Prasad Singh Resident of Village and P.O. - Murali, P.S.- Kishanpur, Block - Saraigarh Bhapatyahi, District- Supaul
 9. Satendra Kumar Son of Rajendra Prasad Yadav Resident of Village and P.O. - Beerpur, P.S.- Beerpur, Block - Basantpur, District- Supaul
 10. Anu Kumar Son of Vijay Prasad Gupta Resident of Village and P.O. - Saraigarh, P.S.- Kishanpur, Block - Saraigarh, District- Supaul
 11. Basant Kumar Son of Satya Narayan Singh Resident of Village and P.O. - Dabhari, Block- Supaul, P.S. and District- Supaul

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Director General Of Police, Govt. Of Bihar, Patna Bihar
2. The Principal Secretary, Panchayati Raj, Govt. of Bihar Patna
3. The Director, Panchayati Raj, Govt. of Bihar Patna
4. The District- Magistrate, Supaul
5. The District Panchayati Raj Officer, District- Supaul
6. The District Panchayati Raj Officer, District- Supaul
7. The R.D.D. Supaul
8. The Senior Deputy Collector, Supaul
9. The Sub Divisional Officer, Supaul
10. The Superintendent of Police, District- Supaul
11. The SHO, Police Station- Supaul, District- Supaul Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Bijay Shankar Choubey, Adv.
For the Respondent/s : Mr. Manish Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 02-05-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The present criminal writ application has been filed by the petitioners for quashing of the F.I.R. bearing Supaul P.S. No. 739 of 2019 dated 21.11.2019 lodged under Sections 420, 467, 471, 120B of the I.P.C.

Learned counsel for petitioners submits that the petitioners have not taken any benefit from the government and only submitted the documents and they have not benefited from the alleged fake certificate in any manner and therefore, Section 420 of I.P.C. is not made out.

Counsel for State submits that for the purpose of appointment, a provisional list was prepared of the candidate on the basis of which certificate produced. Counselling was also held and upon initial verification, the marksheet of one candidate was found fake. Subsequently, marksheet of two candidates was found fake, but when the verification was made through the messenger, who was a Programme Economist of District Rural Development Agency (DRDA), Supaul, a report has come that the certificates produced by all 11 candidates are

fake and the earlier correspondence letters were also found fake and not issued by the University. On the basis of which the District Magistrate, Supaul was ordered for institution of F.I.R. bearing Supaul P.S. No. 739 of 2019 in this matter.

In this view of the matter discussed above and upon going through allegation in F.I.R., it transpires to this Court that offence is made out and therefore, this Court is not inclined to interfere by way of quashing the F.I.R. and the present Criminal Writ Application is hereby dismissed.

(Dr. Anshuman, J.)

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