

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8219 of 2024

Arising Out of PS. Case No.-565 Year-2023 Thana- MAKHDUMPUR District- Jehanabad

Vishwanath Kumar S/p Dinananth Kumar R/o Village - Kanauli P.S. -
Makhdumpur, Dist. - Jehanabad at present address Mohalla - Gandhi Nagar,
Ward No. 10, P.S. and Dist. - Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Dhirendra Kumar Sinha, Advocate
For the Opposite Party/s :	Mr.Pranav Kumar, APP
For the Informant :	Mr. Gajendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 16-04-2024 Heard learned counsel for the petitioner as well as
learned counsel for the informant and learned APP for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Makhdumpur (Tehta O.P.) P.S. Case No. 565 of 2023, registered on 23.08.2023 for the offences under Sections 420, 467, 468, 471 of the Indian Penal Code.

3. As per prosecution case, the petitioner though belonging to an unreserved category, forged a certificate of Scheduled Caste in his favour and got himself admitted in a medical college on the basis of such certificate.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this



case. The informant of this case was earlier married with the younger brother of the petitioner and after his death, the informant made a proposal to marry this petitioner and when it was refused, the informant maneuvered and got prepared the certificate in the name of the petitioner to falsely implicate him. The petitioner never got admitted in medical college on false certificate of SC category rather some other person got himself admitted by using the name of the petitioner. Learned counsel further submits that the occurrence relates to Bihta Medical College, Patna and hence, the FIR should have been instituted at Bihta and not at Makhdumpur. Learned counsel further submits that the informant filed a case under Section 498A of the Indian Penal Code against the petitioner and other family members and when they got bail in that case, the present false case has been lodged on 23.08.2023 whereas the occurrence is stated to be of the year 2021. Learned counsel further submits that the petitioner is having criminal antecedent of one case in which he is on bail.

5. Learned APP as well as learned counsel appearing on behalf of the informant vehemently oppose the submission made on behalf of the petitioner. Learned counsel for the informant submits that the police investigated the matter



and collected all the documents and it is apparent that this petitioner committed fraud and prepared forged document and got himself admitted in a medical college on the basis of forged certificate of Scheduled Caste category.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the nature of allegation which appears to be quite serious, I do not think it is a fit case for grant of anticipatory bail and hence, the prayer for anticipatory bail of the petitioner is rejected.

(Arun Kumar Jha, J)

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