

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29260 of 2024

Arising Out of PS. Case No.-98 Year-2023 Thana- SACHIVALAYA District- Patna

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Ashish Kumar Mallik Son Of Tarni Prasad Mallik Resident Of Village -
Aashi, Block - Goura Bauram, P.S. - Ghanshyampur, District - Darbhanga

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ugranath Mallik, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 20-07-2024 Heard learned senior counsel for the petitioner,

learned counsel for the informant and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Sachiwalaya P.S. Case No. 98 of 2023 registered for the offence under Sections 409, 420, 467, 468, 120B of the Indian Penal Code.

3. The petitioner has a degree from an institute. The informant is the relative of the petitioner and he has filed a complaint which has been referred for registration of FIR under Section 156 (3) of the Cr.P.C. and the petitioner has been terminated from her services.

4. Learned senior counsel for the petitioner, Shri Yogesh Chandra Verma submits that it is not the case of the prosecution that the certificate of the petitioner is forged but it is



the case of the prosecution that though, the institute exists but its degree is not recognized by the State Government and the institute is facing litigation because it is granting degrees.

5. Learned counsel for the informant has submitted that the institute is not recognized and therefore, the degree of the petitioner is forged.

6. In the opinion of this Court, the petitioner is himself a victim. He studied and obtained a degree and if the degree is not recognized, it is not because of the fault of the petitioner but because he has not been informed about the true facts about the institution.

7. Considering the aforesaid facts, this application for anticipatory bail is allowed.

8. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks from today is directed to be released on anticipatory 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 Judicial Magistrate, 1st Class, Patna in connection with Sachivalaya P.S. Case No. 98 of 2023 subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.



9. The petitioner is directed to co-operate in the investigation of this case.

(Sandeep Kumar, J)

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