

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45389 of 2024

Arising Out of PS. Case No.-21 Year-2018 Thana- C.B.I CASE District- Muzaffarpur

Dinesh Kumar Sharma, aged about 56 years, Gender- Male, son of late Jai Narayan Sharma, resident of Village- Narayanpur Patahi, PS- Sadar, District -Muzaffarpur

... .. Petitioner/s

Versus

Central Bureau of Investigation

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Senior Advocate Mr. Rakesh Kumar Sharma, Advocate
For the Opposite Party/s	:	Mr. Avinash Kumar Singh, SPP, CBI Mr. Ambar Narayan, Advocate Ms. Barkha, Advocate Mr. Mukul Kr. Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 21-09-2024 Heard Mr. Ramakant Sharma, learned senior counsel for the petitioner and Mr. Avinash Kumar Singh, learned Special Public Prosecutor for the Central Bureau of Investigation.

2. The petitioner apprehends arrest in connection with RC Case No. 21(A) of 2018 dated 19.12.2018, instituted under Sections 120-B, 420, 467, 468, 471 of the Indian Penal Code.

3. The prosecution case, in brief, is that the petitioner got appointment as BPM, Bakhri Kesho BO in the year 2011 on the basis of fake and forged certificate of *Madhyama* bearing Roll No. 556, Roll Code 1501 and Registration No. 131937/2005 purported to be issued from *Bihar Sanskrit Shiksha Board*, Patna.



4. Learned senior counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that the petitioner was appointed after proper verification of all the certificates by the appointing authority. Further submission is that none of the officials of the Postal Department, who issued appointment letter to the petitioner, has been made accused in this case. Only the petitioner has been made scapegoat. Further submission is that for the first time summons has been issued on 20.02.2024 and thereafter the petitioner came to know about the present case and then application for grant of anticipatory bail was filed before learned Sessions Judge, Muzaffarpur, which has been rejected. Further submission is that in the similar facts of the case accused Ranjit Kumar has been granted anticipatory bail by a co-ordinate Bench of this Court in another case vide order dated 06.08.2018 passed in Cr. Misc. No.31640 of 2018 and the case of the petitioner stands on the same footing.

5. Learned Special Public Prosecutor for the CBI has opposed the prayer for bail but conceded that in similar facts some of the accused have been granted privilege of anticipatory bail.

6. Having considered the facts and circumstances of



the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Magistrate, CBI, Muzaffarpur, in RC Case No. 21(A) of 2018, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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