

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54547 of 2024

Arising Out of PS. Case No.-14 Year-2016 Thana- C.B.I CASE District- Patna

Om Prakash Pandey @ Sharma SON OF RAMESHWAR PANDEY, HEAD MASTER, MADHYAMIK SANSKRIT VIDYALAYA, MANIHARI, KATIHAR VILLAGE- AND POST- MANIHARI, PS- MANIHARI, DIST- KATIHAR

... .. Petitioner/s

Versus

1. The State of Bihar
2. THE DY. SUPDT. OF POLICE, CBI/ACB PATNA BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar
For the Opposite Party/s	:	Mr. Raj Kishor Singh
For the CBI	:	Mr. Avanish Kumar Singh
		Mrs. Barkha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 11-09-2024 1. Heard learned counsel for the petitioner and learned Special P.P. for the CBI, Mr. Avanish Kumar Singh.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 120(B), 420, 468 and 471 of the Indian Penal Code read with Sections 13(2) and 13(1)(d) of the Prevention of Corruption Act.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and is presently working as Headmaster of a government school and has been falsely implicated in the instant case. It is next submitted that the case was handed over to the CBI for investigation under



orders of this Court. It is also submitted that petitioner cooperated with the CBI during the course of investigation and also appeared as and when required. It is next submitted that CBI has already submitted charge sheet in the instant case and never felt the need of arresting the petitioner during the course of investigation, as such, now no useful purpose would be served by sending the petitioner to jail. It is further submitted that in sum and substance, the allegation against the accused persons in the FIR is of making appointments on the post of GDS (*Gramin Dak Sevak*) based on fake certificates and the petitioner, during the course of investigation, came to be implicated on the ground that he had verified a fake certificate as genuine.

4. Learned counsel appearing on behalf of the CBI does not dispute the said submission of the learned counsel appearing on behalf of the petitioner that charge sheet has been submitted and petitioner during the course of investigation cooperated in the investigation.

5. Considering the submissions made by the learned counsel for the petitioner and the fact that charge sheet has already been submitted and petitioner cooperated during the course of investigation, the petitioner above-named, in the event



of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with CBI/ACB/Patna RC0232016A0014 of 2016 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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