

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69232 of 2024

Arising Out of PS. Case No.-115 Year-2022 Thana- MAIN P.S. District- Gaya

Raj Kumar Son of Gyanchand Yadav Village-Harigawn, P.S-Main, District-Gaya, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-10-2024 Heard Mr. Shailendra Kumar Singh, learned counsel for the petitioner and Mr. Dilip Kumar No.1, learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Main P.S. Case No. 115 of 2022 registered for the offences punishable under Sections 420, 467, 468, 471, 120(B)/34 of the Indian Penal Code.

3. The allegation against the petitioner is that he has taken the benefit of being juvenile by producing fake certificate before the Juvenile Justice Board. It is further alleged that on instruction of this Court, the police has registered the present case against the petitioner and others and started investigation.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence.



No such occurrence as alleged has ever taken place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. It is further submitted that at the time of inquiry, the concerned Officer did not compare the father's name and address of this petitioner with that of the said Raju Kumar and submit the report with respect to the certificate granted by the Head Master of +2 High School Kormathu, Gaya. The father name of said Raju Kumar is Shankar Kumar, resident of Village-Sudhi Tola (Kurmi Tola) P.S. Muffasil, District Gaya, whereas the petitioner is son of Gyanchand Yadav, resident of Village-Harigawn, P.S.-Belaganj, District-Gaya. Nothing specific was attributed against this petitioner, but he has been made accused in the present case instead of said Raju Kumar. Learned counsel further submits that petitioner has not taken any benefit of juvenile by showing fake certificate. He has one criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case as well as the nature of the offence, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail



of the petitioner is hereby rejected.

7. Accordingly, the application stands dismissed.

8. However, if the petitioner surrenders before the learned Court below within six weeks from today and seeks regular bail, the learned Court below shall pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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