

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.220 of 2025

Arising Out of PS. Case No.-751 Year-2023 Thana- PATLIPUTRA District- Patna

Prabhash Kumar S/O Late Someshwar Lal Resident of Flat No. 613(B), Lotus Apartment, Road No.-1F, New Patliputra Colony, P.S- Patliputra, Distt.- Patna.

... .. Petitioner/s

Versus

1. State of Bihar through the Principal Secretary, Home Department, State Government of Bihar, Patna. Bihar
2. Director General of Police (D.G.P.), Bihar, Patna. Bihar
3. Senior Superintendent of Police (S.S.P.), Patna. Bihar
4. Station House Officer (S.H.O), Patliputra Police Station, Patna. Bihar
5. Sub Inspector Parul Priya, Investigation Officer, Patliputra Police Station, Patna. Bihar
6. The Director, Central Bureau of Investigation (C.B.I) Plot No. 5B, 6th Floor, CGO Complex Stadium, Lodhi Road, Jawaharlal Nehru Marg, New Delhi- 110003.
7. The ACB, Central Bureau of Investigation (C.B.I), Dr. S.K. Singh Path of Bailey Road Patna- 800022.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	In Person
For the Respondent/s	:	Mr. A.A.G.3
		Mr. Suman Kumar Jha AC to AAG 3
For the CBI	:	Mrs. Nivedita Nirvikar, Sr. Advocate
		Mr. Pravin Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 17-04-2025 Heard the petitioner in person, learned counsel for the State and the learned senior counsel for the CBI.

2. The present writ petition has been filed on behalf of the petitioner for the following reliefs:-

“i). For setting aside order dated 11.12.2024 passed by the learned Additional Sessions Judge 5th, Patna in Cr. Misc. No. 333 of 2024, by which, the learned



*Additional Sessions Judge 5th, Patna has disposed of the said Criminal Miscellaneous Case in contempt of the judgments passed by Hon'ble Supreme Court in the cases of **Sri Budhia Swain vs. Gopinath Deb and Ganesh Patel vs. UmakantRajoria.***

ii). For issuance of writ directing the Central Bureau of Investigation (CBI) to register F.I.R. against the six petitioners and the deponent of Anticipatory Bail Petition No. 9549 of 2023 and others for filing the said Anticipatory Bail Petition before the Court of learned Sessions Judge, Patna with the deponent's fake identity and address, and also with fake and false averments in the Anticipatory Bail Petition No. 9549/2023.

iii). For issuance of writ to the Central Bureau of Investigation to investigate the role and complicity of the Court officials in the forgery committed by the six petitioners and the deponent of Anticipatory Bail Petition No. 9549 of 2023 with the Court of learned Sessions Judge, Patna and the Court of learned Additional Sessions Judge 5th, Patna.

iv). For issuance of direction to the Court of learned Additional Sessions Judge 5th, Patna to register a Criminal Miscellaneous Case under Section 340 of the Cr.P.C. read with Sections 191, 192 and 193 of the I.P.C. against the deponent Prahlad Narain of Anticipatory Bail Petition No. 9549 of 2023, as the Court of learned Additional Sessions Judge 5th, Patna has already served notice upon the deponent of the Anticipatory Bail Petition with regards to the petition filed by the petitioner under Section 340 of the Cr. P.C., read with Sections 191, 193 and 193 of the I.P.C.

v). For issuance of direction to the court of learned Additional Sessions Judge 5th, Patna to conduct



hearings on the petitions dated 10.05.2024 filed by the petitioner in the Anticipatory Bail Petition and dispose of the same as per law.

vi). For issuance of direction to the Court of learned Additional Sessions Judge 5th, Patna to conduct hearing on the show-cause dated 10.11.2023 issued by the Court of learned Additional Sessions Judge 5th, Patna to the Investigating Officer of Patliputra P.S. Case No. 751/2023 as per law.

vii). For issuance of writ to the Court of learned Additional Sessions Judge 5th, Patna to conduct hearing on the show-cause dated 05.12.2023 issued by the Court of learned Additional Sessions Judge 5th, Patna to the S.H.O. of Patliputra Police Station, Patna as per law.”

3. This application is misconceived and the same is hereby dismissed.

4. The petitioner is given liberty to challenge the final order passed in the anticipatory bail application taking all the grounds including the ground that the deponent is a fake deponent.

Shishir/- (Sandeep Kumar, J)

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