

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41079 of 2025

Arising Out of PS. Case No.-32 Year-2025 Thana- LAHERIYASARAI District- Darbhanga

Shashi Shekharam @ Shashi Shekhram S/o Bachcha Singh R/o Flat No. 402,
Takshila Phulwari, P.S.-Ashiana Nagar, District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. P. N. Shahi- Sr. Advocate Mr. Patanjali Rishi- Advocate
For the State	:	Mr. Nand Kishore Prasad
For the Informant	:	Mr. Shubham Kumar Mr. Nishant Choudhary Mr. Rashid Khan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 304-09-2025
1. Heard learned senior counsel for the petitioner, learned APP for the State and the learned counsel appearing on behalf of the informant.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 338, 336(2), 319(2), 318(2), 3(5) of the B.N.S.

3. The learned senior counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that Rashid Khan, an Advocate filed a complaint regarding issuance of fake driving license. In pursuance of the complaint, the A.D.M. held an inquiry and submitted a report to the District Magistrate, Darbhanga with a request to initiate action against the accused persons including the petitioner. Further, the



Joint Secretary, Department of Transport in view of the report of the A.D.M. requested the District Magistrate to institute an FIR against the petitioner and other accused persons in pursuance whereof the FIR was instituted.

4. The learned senior counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that during the course of inquiry the petitioner was not given any opportunity to explain his side of the case. It is further submitted that petitioner, at the relevant point of time was posted as D.T.O., Madhubani and was given additional charge of Darbhanga where the occurrence is alleged to have been committed. It is further submitted that no doubt, fake driving licenses have been issued which bears the digital signature of the petitioner, but then, since petitioner was the D.T.O., Madhubani and was holding the additional charge of Darbhanga also, as such, had authorized his subordinate to use his user ID and Password by Letter No.2904/23 dated 16.11.2023 (Annexure-P-2). It is submitted that OTP was also obtained from Ajay Singh, Head Clerk and the petitioner had no role in the same. It is next submitted that petitioner is a government servant and is aware of the consequences which would entail, in the event, if it is found that he was involved in such offence i.e. his services even can be terminated. It is also submitted that a departmental proceeding has



also been initiated against the petitioner on the same set of charges. It is next submitted that petitioner is a government servant and will not abscond rather will cooperate in the investigation to prove his innocence.

5. Learned A.P.P. as well as the learned counsel appearing on behalf of the informant opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga in connection with Laheriasarai P. S. Case No.32 of 2025, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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