

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66730 of 2025

Arising Out of PS. Case No.-299 Year-2025 Thana- GHOSI District- Jehanabad

Abhay Kumar, age-53 years, Male, Son of Chandrika Prasad, Resident of
Thikraur, P.S.- Ghoshi, District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 15-11-2025 Heard Mr. Mukesh Kumar, learned counsel
appearing on behalf of the petitioner and Mr. Ajit Kumar,
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Ghoshi P.S. Case No. 299 of 2025, registered for the
offence punishable under Sections 316(5), 318(4) 338 and
336(3) of the BNS.

3. As per the allegation made in the FIR, petitioner
had passed the Matriculation examination in the year 1988 but
on the Matriculation Certificate, date of issuance of certificate
was mentioned as 24.08.1982 from which, a doubt was crated
and accordingly, treating the certificate to be fake, the above
FIR against the petitioner has been lodged.

4. Learned counsel appearing on behalf of the



petitioner submitted that the petitioner had passed Matriculation Examination in the year 1988 but due to typographical mistake, the date of issuance of certificate was recorded as 24.08.1982 on the Matriculation Certificate. He further submitted that the petitioner has got the certificate rectified and a fresh Matriculation Certificate has been issued to the petitioner by the Secretary, Bihar School Examination Board (hereinafter referred to as the 'B.S.E.B.'), Patna on 16.09.2025, which bears Sl. No. 22111256 and ID. No. DM00000444191 and the same has been brought on record by way 'Annexure-P/4' to the supplementary affidavit. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail though, he is also of the opinion that the petitioner is still in service, the genuineness of the certificate, which has been brought on record by way 'Annexure-P/4' to the supplementary affidavit, may be verified at the time of furnishing of the bail bond.

6. Considering the rival submissions made on behalf of the parties, as well as, the informations contained in the bail application and the supplementary affidavit, the petitioner has given information that it was the mistake on the part of the



B.S.E.B. in respect of issuing Secondary School Examination Certificate of the year 1988, in which the petitioner claims that date of issuance of the said certificate was incorrectly typed as 24.08.1982 in place of year of passing i.e. 1988 but the other particulars mentioned therein like date of birth, school and the year of passing are correct, however, the same has been rectified and a fresh certificate has duly been issued by the Bihar School Examination Board on 16.09.2025, which has been brought on record by way of 'Annexure-P/4' to the supplementary affidavit. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. Learned district Court is directed to verify the genuinity of corrected Matriculation Certificate of the petitioner (Abhay Kumar), which has duly been issued by the B.S.E.B. on 16.09.2025 from the B.S.E.B. and if it is reported to be genuine, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District Court where the case is pending, in connection with Ghoshi P.S. Case No. 299 of 2025, subject to



the condition as laid down under Section 482(2) of the BNSS.

8. This Court directs the Secretary of the B.S.E.B. to send its report in respect of corrected certificate bearing Sl. No. 22111256 and ID. No. DM00000444191 within a period of two weeks from the date of communication of this order. In case, the Matriculation Certificate of the petitioner (Abhay Kumar) duly issued by the B.S.E.B. on 16.09.2025 is found not to be genuine, this order will lose its force automatically.

9. Let a copy of this order be communicated to Chairman and Secretary of the B.S.E.B. forthwith.

(Purnendu Singh, J)

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