

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61071 of 2025

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

Kumar Gaurav S/O Shri Rajendra Pandit Resident of Village and Post-
Makhar, P.S- Akbarpur, District- Nawada- 805112, at present R/O M 229,
Housing Board Colony, P.S- Bahadurpur, District- Darbhanga- 846001, At
present posted as In Charge Clerk, District Transport Office at Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravi Bhushan
For the Opposite Party/s	:	Mr. Surendra Kumar
For the State	:	Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 10-09-2025 1. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out
of Laheriasarai Police Station Case No. 32 of 2025, dated
15.01.2025, disclosing offences under Sections
338/336(2)/319(2)/318(2)/3(5) of the Bhartiya Nyaya
Sanhita.
3. The prosecution case, as per the First Information Report
lodged on the basis of letter no. 162, dated 15.01.2025,
forwarded by Additional District Transportation Officer,
Darbhanga, is that a complaint was filed by Rashid Khan,
Advocate, Civil Court Darbhanga, regarding the issuance
of fake driving licenses. The matter was inquired into by



the Additional Collector–cum–District Public Grievance Redressal Officer, Darbhanga, who submitted his report vide letter no. 298, dated 26.10.2024, to the District Magistrate, Darbhanga, recommending action against the accused persons. On the basis of the inquiry report, the Joint Secretary, Transport Department, Bihar, Patna, vide letter no. 05/Sthapna-02-04/2022-74 dated 03.01.2025, requested the District Magistrate, Darbhanga, to lodge an FIR against the then District Transport Officer, namely, Shashi Shekharan, Clerk-in-charge, namely, Kumar Gaurav i.e. petitioner, Programmer, namely, Vikramjeet Pratap, and Data Entry Operator, namely, Rupesh Kumar, for their involvement in issuance of fake driving licenses.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence in the manner alleged. The petitioner has falsely been implicated in the present case due to oblique motive and merely because he happens to be the In-charge Clerk at relevant point of time. He next submits that allegation, as per the inquiry conducted by Additional Collector (Public Grievance Redressal) -cum- District Public Grievance Redressal Officer, Darbhanga, dated 26.10.2024, is that



driving license no. AR06 20190072009, which was first issued under DTO Zero district of Arunachal Pradesh, was later issued under different names in other states as well by way of back log entry, wherein, the petitioner and other officials/staffs have been made accused for the said forgery. However, from Departmental Inquiry, conducted under the direction of the present District Transport Officer, Dharbhanga, annexed at Annexure-P-2, it would be evident that processes of renewal, modification and approval of license were not done by the petitioner and the papers for scrutiny and verification was never provided to the petitioner. It would also be apparent that Rupesh Kumar, Data Entry Operator, and Vikramjit Pratap, Programmer, used to obtain OTP directly from Ajay Singh, Head Clerk, for operating the District Transport Officer's ID in order to accept, register, modify the driving licenses. He further submits that the District Transportation Officer, Darbhanga, by its letter no. 01, dated 01.01.2025, annexed at Annexure-P/3, has requested for exoneration of the petitioner from accusations inasmuch as in the departmental inquiry, no involvement has been found on the part of the petitioner.



5. Regards being had to the submissions made by the parties and taking into consideration the nature of allegation and gravity of offence and from perusal of the inquiry report, conducted by Additional Collector–cum–District Public Grievance Redressal Officer, Darbhanga, it appears that the petitioner and other co-accused persons have been found indulged in forgery of driving license, I am not inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J)

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