

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75153 of 2024

Arising Out of PS. Case No.-160 Year-2016 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

=====

Darshan Kumar S/O Shiv Shankar Sah R/O Village- Ratanpur, P.S- Mejoor
Ganj, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Kedar Jha, Advocate
For the Opposite Party/s : Mr.Ram Naresh Ray, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 07-05-2025 Heard Mr.Kedar Jha,,learned counsel for the

petitioner and Mr.Ram Naresh Ray, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with L.N.M.U.P.S.Case No.160 of 2016,FIR dated
13.07.2016 registered for the offences punishable under
Sections 467,468,471,420,120B of IPC.

3. The prosecution case, in short, is that at the time of
filling form of Bachelor 3rd Part Examination, 2015 some of the
students of different college, including the petitioner had
deposited form in college after attaching forged mark sheet. It is
further alleged that the college deposited the same in University
within time. It is further alleged that at the time of preparing



result sheet it was found that the student including the petitioner whose name attached with that petition deposited forged mark-sheet to obtain degree after cheating the university. It is also alleged that inquiry committee also found the mark-sheet as forged. Accordingly, with the said allegation the FIR was instituted.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. As per allegation in the FIR the petitioner had filed the forged certificate for admission in Part-III and filled the form and duly attested by the University concerned and the same is duly verified and counter signed by the controller of examination. Thereafter the form of the examination was accepted by the authority concerned and thereafter the petitioner had appeared in Para-III examination (Bachelor of Arts) and he had successfully cleared the examination. Learned counsel for the petitioner submits that although the petitioner has submitted the marksheet of Part-I and II examination which he received from the concerned University concerned and the same was verified by the



controller of examination and he has also put his countersign over the form of the petitioner then the petitioner had appeared in the examination and had cleared the same and similarly situated co-accused, namely, Kaushalya Kumari, against whom the similar allegation, has been granted privilege of anticipatory bail vide order dated 09.11.2022 passed in ABP No.1650/2022 by the court of learned Addl. Sessions Judge-I, Darbhanga.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent, he has submitted the marksheet as he obtained from the concerned University and the same was verified by the controller of examination and similarly situated co-accused, namely, Kaushalya Kumari, against whom the similar allegation, has been granted privilege of anticipatory bail by the learned court below itself, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with L.N.M.U.P.S.Case No.160 of 2016, subject to



the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his/her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Nitesh/-

U		T	
---	--	---	--

