

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86695 of 2024

Arising Out of PS. Case No.-14 Year-2016 Thana- C.B.I CASE District- Patna

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Amitabh Kumar @ Amitabh Ranjan S/o Jagannath Ram, R/o Village-
Ambedkar Colony, PS- Ahiyapur, District- Muzaffarpur.

... .. Petitioner

Versus

The Central Bureau of Investigation, Delhi.

... .. Opposite Party

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Appearance :

For the Petitioner	:	Mr. Rakesh Kumar Sharma, Advocate
For the CBI	:	Mrs. Nivedita Nirvikar, Sr. Advocate
		Mr. Pravin Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-01-2025 Heard Mr. Rakesh Kumar Sharma, the learned

counsel for the petitioner and Mrs. Nivedita Nirvikar, the

learned counsel appearing on behalf of Central Bureau of

Investigation.

2. The petitioner is apprehending his arrest in

connection with Special Case No. 08 of 2016, arising out of RC

14(A) of 2016, FIR dated 03.08.2016, registered for the offences

punishable under Sections 120(B), 420, 468 and 471 of the

Indian Penal Code and chargesheet has been submitted under

Sections 120(B), 420, 419, 468 and 471 of the Indian Penal

Code and later on Section 13(2) read with Section 13(1)(d) of

the Prevention of Corruption Act, 1988 was added.

3. According to the prosecution case, during the CBI



investigation of appointment of seventy-three Gramin Dak Sewaks (MD / MC) under Muzaffarpur Postal Division, it came to light that the petitioner and other appointees in conspiracy with various officials produced forged and fake certificates issued by Bihar Sanskrit Shiksha Board and other similar institutions to get appointment as Gramin Dak Sewaks (MD/MC).

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that although there is specific allegation against the petitioner that he has obtained the appointment of Gram Dak Sewak on the basis of forged certificate, but, in fact, the petitioner has submitted the certificate, which he has obtained from the competent school/Board/University at the time of his initial appointment and after verifying the certificate of the petitioner, the authority has issued the joining letter in favour of the petitioner.

5. The learned senior counsel appearing on behalf of CBI on the other hand while referring the paragraph no. 13 and 14 of the chargesheet has vehemently opposed the prayer for bail of the petitioner and submits that paragraph no. 13 and 14 of the chargesheet suggests that the petitioner has intentionally



filed the forged certificate for obtaining the said job in question.

6. Considering the aforesaid facts and circumstances and mainly the facts that petitioner has clean antecedent and petitioner has submitted the same certificate which he obtained from competent School/Board/University and the appointing authority after verifying the same has issued the joining letter to the petitioner, let the petitioner, above-named, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, CBI, Muzaffarpur, where the case is pending in connection with **Special Case No. 08 of 2016, arising out of RC 14(A) of 2016**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. / Section 482(2) of the BNSS, 2023 and also the following conditions:

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



be cancelled by the learned trial Court.

(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 learned trial Court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the learned trial Court 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)

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