

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30365 of 2014

Arising Out of PS.Case No. -64 Year- 2014 Thana -BIHIYA District- BHOJPUR

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Rambachan Singh, Son of Lalmuni Singh, resident of Mohalla- Bandhan Tola, Ara Nawada, P.S.- Nawada, Dist.- Bhojpur.

.... Petitioner

Versus

1. The State of Bihar
2. Basukinath Srivastava, S/o Virgunath Lal, resident of village- Nadhaua, P.S.- Buxar, Dist.- Buxar at present posted as Circle Officer Behiya, Circle District- Bhojpur

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Nath Sinha, Adv.

For the Opposite Party/s : Mr. Anita Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 20-01-2015 During the course of the day, on behalf of the learned counsel for the petitioner, it is submitted that the name of opposite party no. 2 be deleted.

Permission is accorded.

Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner, apprehending his arrest in connection with Behiya P.S. Case No. 64 of 2014 registered for the offences punishable under Section 420 of the Indian Penal Code, seeks the privilege of pre-arrest bail.

Allegedly, during checking at the examination hall, it was detected that there is huge assemblage of people near Photostat shops and then one answer sheet was taken and when the

same was compared, it was detected that the answer sheet is of the question paper, which has been distributed in the examination hall and accordingly, it was suspected that before commencement of examination, answer sheets are being distributed and then it was suspected that the petitioner being the Coaching Manager, was indulged in such affairs.

Submission is that besides suspicion, there was nothing against the petitioner. He was not present at the spot. No one has stated that the petitioner was indulged in such activities and as such, the petitioner deserves sympathetic consideration, to which the learned A.P.P. does not dispute.

In the facts and circumstances as stated above, the petitioner in case of his arrest or surrender within two months from the date of receipt/production of the copy of this order, shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Ara, Bhojpur in connection with Behiya P.S. Case No. 64 of 2014, subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Jitendra Mohan Sharma, J.)

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