

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30460 of 2014

Arising Out of PS.Case No. -168 Year- 2013 Thana -KANKARBAGH District- PATNA

Pravin Kumar Son of Sahdeo Rajak Resident of Maniyar Chak, Post
Nawagarhi, District- Munger

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Ravi Bhardwaj, Advocate
For the State : Mr. Nityanand, A.P.P.

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

4 21-01-2015 Heard.

Petitioner apprehends his arrest in connection with a case registered for the offence under Section 420 of the Indian Penal Code and Section 10 of the Bihar Examination Control Act.

As per the allegation, one Heera Kumar had appeared in place of the petitioner during physical examination for appointment of police constable.

Learned counsel submits that the provision contained in Section 420 of the I.P.C. are not attracted in this case as neither he has deceived any person to deliver any property or to make, alter or destroy the whole or any part of a valuable security, or anything which is signed and sealed, capable of being converted into a valuable security. It is submitted that at best, the case can be

under Section 419 I.P.C., i.e., cheating by personation which is bailable offence. It is further submitted that the person, namely, Heera Kumar, who had allegedly appeared in place of the petitioner, has already been granted bail by the court below vide order dated 9.5.2013. Learned counsel for the petitioner has stated that he has got no criminal antecedent.

Having regard to the facts and circumstances of the case, let the petitioner, namely, Pravin Kumar, be released on bail in the event of arrest/surrender before the court below within a period of six weeks from today in Kankarbagh P.S. Case No.168 of 2013 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate Magistrate, Patna, subject to the conditions as laid down under sub-section (2) of Section 438 of the Code of Criminal Procedure. One of the bailors should be the parent of the petitioner.

(Dr. Ravi Ranjan, J)

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