

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38044 of 2014

Arising Out of PS.Case No. -98 Year- 2014 Thana -KANKARBAGH District- PATNA

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1. Ramesh Kumar @ Ramesh Rai Son of Deo Nandan Rai resident of village- Bigrampur, P.S.- Jakkanpur, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.42602 of 2014

Arising Out of PS.Case No. -98 Year- 2014 Thana -KANKARBAGH District- PATNA

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1. Chandra Jee @ Rakesh Chandra Son of Sri Kant Singh Resident of Vilalge - Bareue, P. S. Akbarpur, in the district of Nawada present address being resident of Serahara Daraul, P.S. Gaunalo, in the District of West Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.38044 of 2014)

For the Petitioner/s : Mr. Krishna Prasad Singh,Sr.Adv.

For the Opposite Party/s : Mr. Rajesh Kumar (App)

(In Cr.Misc. No.42602 of 2014)

For the Petitioner/s : Mr. Akhileshwar Pd.Singh,Sr.Adv.

For the Opposite Party/s : Mr. A.M.P. Mehta (App)

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

3 09-07-2015 These two applications are filed with a prayer to grant anticipatory bail to the petitioners, who figured as accused in Kankarbagh P.S. Case No. 98/14, wherein offences punishable under sections 420, 467, 468, 471 and 120-B of the Indian Penal Code were alleged.

Apprehending their arrest, the petitioners filed A.B.P.

Nos. 19437/2014 and 21465/2014. Through a common order dated 26-8-2014 the court below dismissed the applications. Hence, these two petitions have been filed before this Court.

Heard learned counsel for the petitioners and the learned A.P.P. for the State.

It is, no doubt, true that the names of the petitioners herein were not mentioned in the F.I.R. at the initial stage. The fact, however, remains that the principal accused has revealed the names of the petitioners in course of investigation. The truth or otherwise of the allegations against the petitioners needs to be considered at the trial. The matter pertains to the alleged fraud in the admission into the Post Graduate Medical Courses, and it is alleged that the petitioners herein helped and aided the impersonation of the candidates. The Court is not inclined to grant anticipatory bail. The petition is dismissed.

However, if the petitioners surrender before the court below and file application for regular bail, the fact that the principal accused has been released on bail shall be taken into account, and appropriate orders shall be passed at the earliest, preferably on the same day.

(L. Narasimha Reddy,CJ)

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