

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40528 of 2015

Arising Out of PS.Case No. -123 Year- 2014 Thana -NAWADA District- NAWADA

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1. Ram Pravesh Prasad Son of Horil Paswan, Resident of Village -
Dhanar, P.S. - Chandradeep, District - Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-10-2015

Heard learned counsels for the petitioner

and the State.

Petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 419, 420, 120B, 224 of the Indian Penal Code and Section 10 of Bihar Conduct of Examinations Act, 1981.

The prosecution case is that in matriculation examination, 2014 conducted at Jeevan Deep Public School one Saryoog Paswan who was brother of the petitioner was appearing in place of the petitioner.

It is submitted by learned counsel for the petitioner that petitioner was not aware about his brother appearing in his place and even assuming the accusation, at best offence under Section 419 I.P.C is made out which is bailable. It is further submitted that non-grant of bail to the petitioner will jeopardize the carrier of the petitioner.

Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, 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 learned Chief Judicial Magistrate, Nawada in connection with Nawada Town P.S. Case No. 123 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bonds of the petitioner will be accepted on filing affidavit that he will cooperate in the investigation. Non-cooperation in the investigation will give liberty to the prosecution to file appropriate application for cancellation of bail of the petitioner.

(Dinesh Kumar Singh, J)

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