

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51349 of 2014

Arising Out of PS.Case No. -144 Year- 2014 Thana -MAGADH MEDICAL COLLEGE District-
GAYA

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1. Chandan Kumar S/o Umeshwar Yadav Resident of Village Bhusura, P.S.
Arwal, District Arwal.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Prasad Singh

For the Opposite Party/s : Mr. C.Sen Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

4 03-07-2015

Heard the Counsel for the petitioner and Mr. Dayal,

APP for the State.

Petitioner apprehends his arrest in connection with
M.M.C.H. P.S. Case No. 144 of 2014 registered under sections
419, 420, 474 of the Indian Penal Code and Section 10 of the
Bihar School Examination Board Act.

The allegation is that co-accused Tanvir Alam was
found taking examination impersonating as the petitioner. He was,
accordingly, arrested and the Centre Superintendent has lodged the
case.

Contention of the petitioner is that only Tanvir Alam
was arrested inasmuch the petitioner was not cited as accused by
the informant. However, the F.I.R. was lodged against him also.
Petitioner is a student and his career shall be spoiled.

Learned APP, on the other hand, states that from bare perusal of the F.I.R., it would appear that petitioner was the beneficiary. Prima facie, he has rightly been cited as an accused of having cheated the authority.

Considering the facts and circumstances of the case, I am not inclined to privilege the petitioner with anticipatory bail. Prayer is, accordingly, rejected.

In case, the petitioner surrenders and prays for bail, the Court below shall consider the same on its own merit uninfluenced by the present order.

(Kishore Kumar Mandal, J)

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