

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4496 of 2015

Arising Out of PS.Case No. -652 Year- 2014 Thana -BEGUSARAI TOWN District- BEGUSARAI

1. Ajeet Kumar Son of Krishanandan Mahto Resident of vill-
Chhautauna,P.S-Nawkothi,Distt.-Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tarkeshwar Pd. Verma

For the Opposite Party/s Mr. Hirday Prasad Singh (App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 03.02.2015 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Begusarai Town P. S. case no. 652/2014 registered under sections
419, 420, 120B of the IPC and section 10 of the Bihar Conduct of
Examination Act.

There is specific allegation against the petitioner that one
Nishant Kumar appeared in place of the petitioner in special constable
recruitment examination, 2014.

The contention on behalf of the petitioner is that even if
prosecution story assumed to be true, then also, only section 419 of
the IPC is applicable and section 419 of the IPC is bailable in nature
and so far as section 10 of the Bihar Conduct of Examination Act is
concerned, the same is also bailable in nature.

In view of the aforesaid submissions, this petition stands

disposed of with direction to the petitioner to surrender before the Chief Judicial Magistrate, Begusarai/ concerned court within four weeks from today and seek regular bail and if the petitioner does so and raises the above stated points before the concerned court, the concerned court shall consider the aforesaid points on its own merit without being prejudiced by this order and shall dispose of regular bail application of the petitioner on the same day in accordance with law.



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(Hemant Kumar Srivastava,J)

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