

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9248 of 2015

Arising Out of PS.Case No. -767 Year- 2014 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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1. Subodh Kumar son of Shambhu Yadav, resident of Alipur, P.S.-
Kahalgaon, District Bhagalpur

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Shiwesh Chandra Mishra

For the Opposite Party : Mr. Nityanand (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-03-2015

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, 467, 468, 471, 120B of the I.P.C and Section 3/4 of the Bihar Examination Control Act.

It is alleged that at the police recruitment examination 2014 one Nishant Kumar was appearing in place of the petitioner.

It is submitted by learned counsel for the petitioner that petitioner had no information of Nishant Kumar appearing in his place. Moreover even assuming the accusation, no offence under Sections 419, 420 of the I.P.C is made out against the petitioner and non grant of bail will jeopardize the carrier of the petitioner.

Considering the nature of accusation against co-accused Nishant Kumar, 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, Bhagalpur in connection with Kotwali (Tatarpur) P.S. Case No. 767 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 to the effect that petitioner will co-operate during investigation, if the investigation has already not concluded. Non co-operation of the petitioner during investigation will give liberty to learned Court below to cancel the bail bonds of the petitioner.

(Dinesh Kumar Singh, J)

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