

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36186 of 2015

Arising Out of PS.Case No. -16 Year- 2014 Thana -JOGBANI District- ARRARIA

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1. Rakesh Raj S/o Barhamdev Singh Resident of village - Navtoliya, P.S. Chautham, District - Khagaria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha

For the Opposite Party/s : Mr. Ataur Rahman(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 07-09-2015

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, 120B of the Indian Penal Code.

It is alleged against the petitioner that his brother Dinesh Kumar appeared for medical test in his place during recruitment in 24th Battalion S.S.B, Bathnaha.

It is submitted by learned counsel for the petitioner that petitioner was ill and he never authorized his brother to appear in his place. The petitioner was not named in the First Information Report and his name sprang up during investigation. It is further submitted that even assuming the accusation, at best under Section 409 I.P.C is made out which is bailable and non-grant of bail to the petitioner will jeopardize

the carrier of the petitioner.

A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

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 Additional Chief Judicial Magistrate, Araria in connection with Jogbani P.S. Case No. 16 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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