

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23973 of 2016

Arising Out of PS.Case No. -57 Year- 2016 Thana -MUFFASIL District- AURANGABAD

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Guddu Kumar S/O Chandradeo Sharma, resident of village- Kaushal Nagar,
P.S.- Hawai Adda, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar

For the Opposite Party/s : Mr. Md. Ansural Haque (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-05-2016

Petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 419, 420/34 of the Indian Penal Code.

The prosecution case is that in science paper of matriculation examination one Sonal Kumar was appearing in place of the petitioner Guddu Kumar.

It is submitted by learned counsel for the petitioner that petitioner was not aware about the Sunil Kumar appearing in his place and no document of the petitioner particularly admit card was seized from Sonal Kumar. It is further submitted that even assuming the accusation, at best a case under Section 419 I.P.C is made out which is bailable. Moreover 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, Aurangabad in connection with Aurangabad Muffasil P.S. Case No. 57 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bonds of the petitioner shall be accepted on filing affidavit to the effect 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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