

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2441 of 2016

Arising Out of PS.Case No. -307 Year- 2015 Thana -SAMASTIPUR
MUFFASIL District- SAMASTIPUR

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1. Amit Kumar, Son of Ram Lakhan Yadav, resident of
Phulparia, P.S. - Mahta, District - Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Adv.

For the Opposite Party/s : Mrs. Sharda Kumari (A.P.P.)

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 18-01-2016 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application for grant of anticipatory bail
arises out of Muffasil P.S. Case No.307 of 2015,
disclosing offences under Sections 419, 420, 465, 468,
469 and 471/34 of the Indian Penal Code and 3/4 of
Bihar Conduct of Examination Act, 1981.

The petitioner was an applicant for
appointment to the post of Constable for which he was
finally selected. For the purpose of ensuring his



selection for appointment to the said post, he is said to have made someone else to appear at the written examination, which was subsequently detected. With these allegations, the petitioner has been made accused for the offences punishable under Sections 419, 420, 465, 468, 469 and 471/34 of the Indian Penal Code and Section 3/4 of the Bihar Conduct of Examination Act, 1981.

While denying the allegation, learned counsel, appearing on behalf of the petitioner, has submitted that there is no chance that the petitioner shall abscond from the course of investigation or trial. He has further submitted that the allegations are based on records and there is no question of tampering with the evidence by the petitioner. Under the instructions of the petitioner, learned counsel appearing on his behalf submits that he will cooperate with the police at the investigation.

In view of the submission, as noted above, this application is allowed. Let the petitioner, abovenamed, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **learned Sub-**

Divisional Judicial Magistrate, Samastipur, in connection with **Muffassil P.S. Case No.307 of 2015,** subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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