

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18647 of 2016

Arising Out of PS.Case No. -555 Year- 2015 Thana -DIHRINAGAR District- SASARAM
(ROHTAS)

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Manoj Kumar, Son of Arun Paswan, resident of village- Bhirar, Post-
Bhirar, P.S.- Makhdumpur, District- Jehanabad Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Malik, Advocate

For the Opposite Party/s : Mr. Murlidhar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH

ORAL ORDER

5 29-09-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out
of Dehri Town P.S. Case No. 555 of 2015, disclosing offences
under Sections 419 and 420 of the Indian Penal Code.

The petitioner was appointed as constable in Bihar
Military Police on the basis of some selection process. It is alleged
that he made somebody else to appear in his place in the written
examination on the basis of which the petitioner was declared
successful and subsequently appointed.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner did not make any confessional
statement to this effect before any person. He has also submitted
that evidently, evidence of the prosecution is based on documents
and, therefore, the petitioner cannot tamper with the investigation.

He has submitted that if allowed anticipatory bail, the petitioner shall neither flee from the course of investigation nor from the course of trial.

Considering the submissions as above and the facts and circumstances of the case, this application is allowed.

Let the petitioner, above-named, 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 Chief Judicial Magistrate, Rohtas at Sasaram in connection with Dehri Town P.S. Case No. 555 of 2015, subject to the conditions as 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)

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