

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23843 of 2016

Arising Out of PS.Case No. -157 Year- 2016 Thana -KATIHAR District- KATIHAR

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Md. Naim Akhtar Son of Md. Abdul Latif Resident of Village- Karamatpur,
Police Station Barari,in the Distroct of Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Gajendra Pd.Yadav(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH

ORAL ORDER

02/ 30-05-2016

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections 419,
420 of the Indian Penal Code and 10 of Bihar School
Examination Act, 1981.

The prosecution case is that the
petitioner's brother Md. Nahid Akhtar was appearing at the
Intermediate Examination, 2016 in place of the petitioner.

It is submitted by learned counsel for the
petitioner that the petitioner was not aware about his brother
appearing in his place and even assuming the accusation at best a
case under Section 419 IPC is made out, which is bailable. Non-
grant of bail will jeopardize the career of the petitioner.

In view of this Court, it is a case for consideration of prayer for regular bail by the learned court below, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Katihar Town P.S. Case No. 157 of 2016 pending in the court of learned Chief Judicial Magistrate, Katihar. It is expected from the learned court below to dispose of the bail application of the petitioner preferably on the same day.

With the aforesaid observation, this application is disposed of.

(Dinesh Kumar Singh, J)

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