

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24335 of 2016

Arising Out of PS.Case No. -143 Year- 2016 Thana -AURANGABAD TOWN District-
AURANGABAD

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Piyush Kumar, son of Ganesh Paswan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Phulendra Kumar

For the Opposite Party/s : Mr. Indra Kr. Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 31-05-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Section 420 of the Indian Penal Code and Section 8 and 10 of the Bihar Examination Control Act.

The prosecution case is that in an online examination of Railway Recruitment Board, the petitioner Piyush Kumar allowed one Prafful Kumar to appear at the online examination.

It is submitted by the learned counsel for the petitioner that the petitioner was not aware that said Prafful Kumar was appearing in place of him and non-grant of bail will jeopardize the carrier of the petitioner. The accusation, at best constitutes an offence under Section 419 of the I.P.C., which is bailable.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12

weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Aurangabad in connection with Aurangabad Town P.S. Case No. 143 of 2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bond of the petitioner will be accepted on filing of the affidavit by the petitioner before the learned court below to the effect that he will regularly co-operate in the investigation. Non-cooperation in the investigation by the petitioner will give liberty to the learned court below to cancel the bail bonds of the petitioner.

(Dinesh Kumar Singh, J)

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