

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28179 of 2016

Arising Out of PS.Case No. -193 Year- 2016 Thana -AHIAPUR District- MUZAFFARPUR

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1. Shivam Veer Prakash son of Nageshwar Prasad Mandal resident of Forbesganj, P.S. Forbesganj, District Araria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 24-08-2016 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with a case registered for the offences punishable under Sections 419/420/465/468/471 of the Indian Penal Code.

Learned counsel for the petitioner submits that allegation against the petitioner is that he impersonated at an examination whereby he was selected for taking admission in the M.B.B.S. course. Subsequently, it was discovered that the petitioner has used unfair means at the competitive examination and, therefore, his admission was on the basis of the fraud perpetuated by him. Handwriting of the petitioner in the OMR sheet submitted by him earlier was sent for Forensic Science Laboratory and was found

to be different. Thereafter, the petitioner was removed from the M.B.B.S. course while he was in the final year of the said course. It is further submitted that in view of the fact that the petitioner has already been sufficiently punished and the said order by which the petitioner has been removed is under consideration on submission of his show-cause, therefore, for the present, the prosecution as against the petitioner seems to be uncalled for.

Having heard learned counsel for the parties and on consideration of facts and circumstances, let the petitioner, in the event of his arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur, in connection with Ahiyapur P.S. Case No. 193 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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