

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8634 of 2016

Arising Out of PS.Case No. -347 Year- 2015 Thana -AURANGABAD TOWN District-
AURANGABAD

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Vivek Kumar S/O Keshav Singh, R/o Village- Pathara, P.S.- Khudwan,
District- Aurangabad (Bihar)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lal Bahadur Singh, Adv.

For the Opposite Party/s : Mr. Jitendra Kumar Singh-I(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 23-02-2016 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 420 and 379/34 of the Indian Penal Code.

The prosecution case is that the petitioner was using Bluetooth while appearing at the constable recruitment examination being held on 19.12.2014.

It is submitted by learned counsel for the petitioner that for suspicious accusation use of Bluetooth the petitioner was directed to deposit a fine of ₹2,000/- which was deposited on the same day but the present FIR was lodged after ten months of the actual occurrence on 20.08.2015. A statement has been made in para 3 of the petition that the petitioner has no criminal

antecedent. It is further submitted that non-grant of bail to the petitioner will jeopardize the career of the petitioner.

Considering the delayed lodging of the FIR, 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 C.J.M., Aurangabad in connection with Aurangabad (Town) P.S. Case No. 347 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

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

(Dinesh Kumar Singh, J)

Amrendra/-

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