

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37616 of 2016

Arising Out of PS.Case No. -667 Year- 2014 Thana -KATIHAR District- KATIHAR

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1. Nakul Kumar Paswan son of Umesh Paswan, resident of Village-Tikapatti, Dhusar P.S. Tikapatti, District Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. Sunil Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-09-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 419 and 420/34 of the Indian Penal Code.

The prosecution case is that one Maharshi Jee was appearing in place of the petitioner at Constable Recruitment Examination.

It is submitted by the learned counsel for the petitioner that the petitioner was not aware about Maharshijee appearing at the aforesaid examination in his place. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent. It is further submitted that even assuming the accusation, only offence under section 419 IPC is made out which is bailable and non-grant of bail will

jeopardize the future career of the petitioner.

Considering the thrust of accusation against co accused Maharshi Jee, 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 twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Katihar in connection with Katihar P.S. Case No.667 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bonds of the petitioner will be accepted on filing of an affidavit by the petitioner before the learned court below that he will regularly cooperate in the investigation. The said affidavit will be transmitted by the learned court below to the concerned I.O. Non cooperation in the investigation will give liberty to the prosecution to file application before the learned court below to cancel bail bonds of the petitioner.

(Dinesh Kumar Singh, J)

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