

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39542 of 2016

Arising Out of PS.Case No. -61 Year- 2015 Thana -TRIVENIGANJ District- SUPAUL

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Roushan Kumar Son of Subhash Mandal Resident of Village- Mahasimar,
Police Station- Kisanpur, District - Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun, Adv.

For the Opposite Party/s : Mr. Sri Gopesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 17-09-2016 Heard both sides.

The petitioner apprehends his arrest in Triveniganj P.S.
Case No. 61/2015, registered for the offences punishable under
Sections 419, 420, 467, 468, 471 and 34 of the Indian Penal Code
and under Sections 3 and 4 of Bihar Examination Act, 1981.

One Deepak Kumar Yadav was apprehended while
appearing at the examination and from his possession Admit Card
bearing Roll Code – 42507, Roll No. 1500042 was recovered. The
Admit Card was of Raushan Kumar the petitioner.

It is submitted that the petitioner setup Deepak Kumar
Yadav to appear at the examination at his place in order to fetch
good marks.

Learned counsel for the petitioner submits that petitioner

was not apprehended at the spot and nothing has been recovered from his possession. Petitioner did not setup any person, but his Admit Card was lost in transit.

It appears that it was the petitioner who setup Deepak Kumar Yadav who was appearing in place of the petitioner in the matriculation examination only to fetch good marks.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders in the court below learned court below shall consider his prayer for regular bail taking into consideration that Deepak Kumar Yadav who was appearing in the matriculation examination in place of the petitioner has already been enlarged on regular bail.

(Prabhat Kumar Jha, J.)

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