

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9558 of 2017

Arising Out of PS.Case No. -106 Year- 2016 Thana -LAHERIASARAI District- DARBHANGA

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Shubham Bharti, Son of Babu Narayan Bharti, Resident of Village- Pauni,
Police Station- Ghanshyampur, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13

For the Opposite Party/s : Mr. Ajay Kumar-1(App)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 30-03-2017

Heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in Laheriasarai P.S. Case No. 106 of 2016 instituted for the offence under Section (s) 419, 420, 120B of the Indian Penal Code and Section ¾ of the Bihar Examination Conduct Act, 1981.

It has been submitted on behalf of the petitioner that petitioner is student of matriculation. He has no criminal antecedent.

There is allegation that in place of this petitioner in intermediate examination, one Amarnath Mandal was taking the examination. The petitioner has been expelled from the examination.

It has further been submitted that entry in the



examination centre is done after proper verification of the admit card and the identity of the student. The petitioner did not appear in any of the paper.

Be that as it may, this Court finds that petitioner has already been punished by being expelled from the examination.

In the facts and circumstances of the case, the prayer of the petitioner for anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, above named, within six weeks from today in connection with Laheriasarai P.S. Case No. 106 of 2016, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga, subject to the conditions as laid down under Section 438(2) of Cr.P.C.

The petitioner will file undertaking in the Court below at the time of release that he will not indulge in such type of activity in future, otherwise his bail bonds will be liable to be cancelled.

(Sanjay Priya, J)

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