

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29301 of 2017

Arising Out of PS.Case No. -58 Year- 2017 Thana -LAHERIASARAI District- DARBHANGA

- =====
1. Rajnish Kumar S/o Lagandeo Das resident of Village + Mohalla - Kalikapur, P.S. - Kaluyahi, District - Madhubani.
 2. Prameshwar Prasad Prabhakar S/o Kusum Lal Yadav resident of village + Mohalla - Nanpatti, P.S. Laukahi, P.O. Marahiya, District - Madhubani.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Prasad

For the Opposite Party/s : Mr. Sri Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 01-07-2017 Heard the learned counsel for the petitioners and the learned APP for the State.

The petitioners apprehend thier arrest in connection with Laheriasarai P.S. Case No. 58 of 2017 instituted for the offences punishable under Sections 419, 420, 467/34 of the Indian Penal Code and Section 3/10 of the Bihar Conduct of Examination Act, 1981.

The case has been registered on the basis of written report of Central Superintendent of C.M. College, Darbhanga. It is alleged that in course of invigilation, Ajit Kumar Yadav and Chanchal Kumar were found appearing in Intermediate Examination in place of these petitioners. On interrogation,



they confessed this fact.

The learned counsel for the petitioners submits that no offence under Sections 420 and 467 of the Indian Penal Code is made in this case and the offence under Section 3/10 of the Bihar Conduct of Examination Act, 1981 is not attracted against any of these petitioners.

The learned APP, on the other hand, opposed the submission.

On perusal of the F.I.R., I find that the case is registered for the offence under Section 420 and 467 of the Indian Penal Code. The specific allegation is that they in order to cheat the examination Superintendent and other authorities set the two different persons to appear in the examination and both the apprehended persons admitted that they were appearing for these petitioners.

In the aforesaid facts and circumstances, the anticipatory bail application of these petitioners is rejected.

(Sanjay Kumar, J)

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