

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27322 of 2017

Arising Out of PS.Case No. -510 Year- 2016 Thana -LAHERIASARAI District- DARBHANGA

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Chhotu Kumar Paswan, Son of Bisheshwar Paswan, R/o Vill. Pilakhwara,
P.S. Raj Nagar, District Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rama Kant Sharma, Sr. Adv.

Mr. Gajendra Kr. Singh, Adv.

For the Opposite Party/s : Mr. Zainul Abedin, APP

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 01-07-2017

Heard the parties.

This application, for grant of anticipatory bail, arises out of Laheria Sarai P.S. Case No. 510 of 2016, disclosing offences under Sections 419, 420, 406 and 379/34 of the Indian Penal Code.

The petitioner was a candidate for selection to the post of Constable in Excise Department. He had appeared for written examination, held on 31.07.2016, for the said purpose. More than a month and half, the Department learnt that answer-



sheets of the petitioner and two others were missing. With the allegation that the said three persons had taken away the answer-sheets, which they were required to deposit after the examination was over, the First Information Report has been registered against all the three including this petitioner.

Learned senior counsel for the petitioner has submitted that no offence under Section 419, 420, 406 and 379 of the Indian Penal Code is made out, if the allegation made in the First Information Report is treated to be true. He has further submitted that there is no question of petitioner taking away the answer-sheet, as it would have not benefited him in any manner whatsoever.

Considering the nature of accusation, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Darbhanga**, in connection with **Laheria Sarai P.S. Case No. 510 of 2016**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner



shall present himself/herself before the police/Court, as the case may be, as and when required and in the event of failure on his/her part to appear before the Court on two consecutive occasions, his/her bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Praveen-II/-

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