

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44274 of 2017

Arising Out of PS.Case No. -73 Year- 2014 Thana -BAHADURPUR District- DARBHANGA

1. Rakesh Kumar, S/o Banke Paswan @ Bake Paswan, resident of village-
Deshna, P.S.-Asthawa, Dist-Nalanda. Parentage address Village-
Vrindavan P.S.-Sarmera Dist.-Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kedar Jha, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 18-10-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Bahadurpur P.S.**

Case No.73 of 2014 instituted for the offence under Section(s)
420/34 Indian Penal Code and Section 3 of Bihar Conduct of
Examination Act, 1981.

There is allegation against this petitioner that he was
appearing in MTS Examination 2014 (SSC) in place of one Suraj
Kumar.

From the written report, it appears that general and
vague allegation has been levelled against the petitioner. No
incriminating article has been recovered from his possession. It is
mentioned in para 3 that petitioner has clean antecedents.

In the facts and circumstances of the case, prayer of



the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Bahadurpur P.S. Case No.73 of 2014**, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Additional Chief Judicial Magistrate, VI, Darbhanga**, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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