

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.53936 of 2017**

Arising Out of PS.Case No. -158 Year- 2017 Thana -BUXAR MUFFSIL District- BUXAR

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Pradeep Kumar Gupta, son of Shankar Prasad Gupta, resident of village –  
Dhansoi, P.S. – Dhansoi, District – Buxar.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Ravi Shanker Pankaj, Advocate

For the Opposite Party/s : Smt. Rita Verma, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

**2. 09-11-2017**

Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

The petitioner, in the present, case, is seeking  
Anticipatory Bail in connection with Buxar (Muffassil)  
P.S. Case No. 158/2017 corresponding to G.R. No.  
2093/2017 for the offences under Section 10 of Bihar  
Conduct of Examination Act, 1981.

Learned counsel for the petitioner submits  
that the present case is at best a case of *bona fide* mistake  
which may be construed as dereliction of duty by the  
petitioner. It is alleged that the petitioner was the Centre  
Invigilator in the school where the examination was being  
conducted. The seven answer books which were submitted  
by the candidates who had left the school early were kept  
in the drawer of the table which the petitioner could not  
deposit and even Superintendent of the Centre could not



find it out at the time of counting, but later on, those answer books have been deposited and a three members committee, constituted to look into the illegalities, such as tampering with the said answer books or interpolation in the same, has submitted a report clearly holding that nothing wrong could be found with those answer books.

Learned Additional Public Prosecutor for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case, in the event of his arrest/surrender before the court below within a period of four weeks, let the petitioner, above-named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate – V, Buxar, in connection with Buxar (Muffassil) P.S. Case No. 158/2017 corresponding to G.R. No. 2093/2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Rajeev/-

**(Rajeev Ranjan Prasad, J.)**

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