

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31026 of 2018

Arising Out of PS.Case No. -53 Year- 2018 Thana -GARDANIBAGH District- PATNA

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Tula Kumar, Son of Yug Narayan Mahto, Resident of Village- Ram Sagar,
Police Station- Barahra, District- Bhojpur at Ara.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Opposite Party/s : Mr. Sri Amrendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 06-07-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Gardanibagh P.S. Case No.53 of 2018 registered for the offences
punishable under Sections 417 and 420 of the Indian Penal Code.

It is alleged that when the petitioner appeared for
physical test for appointment on the post of constable, it was
noticed that some other candidates had appeared in the written
test impersonating himself as the petitioner.

It has been submitted that the finding is on the basis of
biometric attendance of the petitioner and similarly situated co-
accused have been granted bail by different benches of this court



in Cr.Misc.No.26039 of 2018, Cr.Misc.No.26389 of 2018, Cr.Misc.No.27135 of 2018, Cr.Misc.No.28595 of 2018 and Cr.Misc.No.24754 of 2018. The case of this petitioner stands on similar footing. He is in custody since 23.02.2018 and so he deserves bail.

The learned A.P.P. for the State opposed the submission.

Considering the facts and circumstances of the case, the prayer of bail is allowed. The petitioner, named above, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of the learned A.C.J.M.-cum-Subordinate Judge XIV, Patna in connection with Gardanibagh P.S. Case No.53 of 2018, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) If the petitioner is found involved in future in similar type of allegation, the prosecution will have liberty to move for cancellation of bail.
- (iv) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without



showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Sanjay Kumar, J)

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