

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61996 of 2017

Arising Out of PS.Case No. -303 Year- 2017 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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1. Nitish Kumar, Son of Vijendra Prasad, Resident of Village- Madhopur
Dih, P.S.- Chandih, District- Nalanda.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Sharma
For the Opposite Party/s : Mr. Sri Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 18-01-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Hajipur Sadar P.S. Case No.303 of 2017 registered for the
offences punishable under Sections 419, 420, 467, 468, 471 and
120(B)/34 of the Indian Penal Code and Sections 3, 4, 5 and 6 of
Bihar Conduct of Examination Act, 1981.

It is alleged that this petitioner and two others were
apprehended by police while carrying question papers related
with Diploma Training Examination of NTPC. The apprehended
accused disclosed the name of other co-accused.

It has been submitted that out of three apprehended
accused, one Mukesh Kumar has been allowed bail by one of the
coordinate Bench of this Court in Cr.Misc.No.44429 of 2017 on
19.09.2017 and second co-accused Subodh Kumar has been



allowed bail by the lower court itself. The case of the petitioner stands on similar footing. The petitioner is in custody since 02.07.2017.

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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No.303 of 2017, 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.

Harish/-

(Sanjay Kumar, J)

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