

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68191 of 2018

Arising Out of PS. Case No.-56 Year-2018 Thana- BIHARSHARIF District- Nalanda

Chintu Kumar son of Biresh Prasad, Resident of Village- Sherpur, P.S.
Asthawan, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudish Kumar

For the Opposite Party/s : Mr. Sri Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 14-12-2018

Heard learned counsel for the parties.

Petitioner is apprehending arrest in connection with Bihar PS Case No. 56 of 2018 for the offence under Sections 419 and 420 of the Indian Penal Code and Section 10 of the Bihar Conduct of Examination Act, 1981.

Allegation is that arrangement was made and one Okil Kumar was appearing in the Intermediate examination in place of the petitioner. Learned counsel for the petitioner submits that the petitioner has no criminal antecedent and has no relation with the accused.

Considering the aforesaid, this application is allowed. Accordingly, in the event of arrest or surrender before the court below within a period of one month from today, the petitioner above named, is directed to be released on bail on furnishing



bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Bihar PS Case No. 56 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as also on the conditions that (a) bailors should be parents and that (b) the petitioner shall not be allowed to appear at the examination unless disposal of the present case.

It is made clear that grant of anticipatory bail will not prevent the authorities from taking decision under the provisions of the Bihar Conduct of Examination Act, 1981.

(Anil Kumar Upadhyay, J)

mrl./-

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