

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5674 of 2018

Arising Out of PS.Case No. -583 Year- 2017 Thana -MOHANIA District- BHABHUA (KAIMUR)

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1. Aditya Kumar @ Chandan Kumar @ Lakhan S/o Shiv Nandan Chaudhary @ Shivji Prasad @ Shiv Nandan Prasad Singh Resident of Village-Barka Nouan, P.S.-Buxar (Muffasil), District-Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Adv.

For the Opposite Party/s : Mr. Sri Mukeshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 09-02-2018

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with Mohania P.S.Case No. 583 of 2017 registered under Sections 420, 467, 468, 471/34 of the Indian Penal Code and Section 10 of the Bihar Conduct of Examination Act, 1981.

It is submitted by the learned counsel for the petitioner that even if the entire allegation made in the First Information Report is taken to be true, the ingredients of the offences punishable under the Indian Penal Code would not be attracted. He submitted that even otherwise, at best, it would be a case in which some persons tried to transmit correct answers over phone and that apart, there is no other allegation in the FIR. He



submitted that as far as the petitioner is concerned, no specific allegation has been made against him and his name has transpired in course of investigation. He submitted that the petitioner is a student having no criminal antecedent and having roots in the society, he is not likely to abscond or tamper with the evidence.

Keeping in mind the nature of allegation and the submissions made above, in the event of arrest or surrender before the court below within four weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Mohania P.S.Case No. 583 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Pradeep/-

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