

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4717 of 2018

Arising Out of PS.Case No. -564 Year- 2017 Thana -MOHANIA District- BHABHUA (KAIMUR)

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1. Shashi Kumar S/o Jai Prakash Kanhar @ Om Prakash Kohar, R/o
Village- Majhari, P.S.- Mohania, District- Kaimur Bhabhua.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 19-02-2018 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Mohania PS case no. 564 of 2017 registered for
the offences punishable under Sections 420, 384 and other
sections of Indian Penal Code.

The allegation against the accused persons is
regarding taking money from the aspirants of Constables in the
Bihar Police for the purposes of making some other persons
appear in the examination by impersonation and in the process,
ensuring that such aspirants become successful in the examination.
The petitioner along with other co-accused had demanded
Rs. 4,50,000/- for the aforesaid purpose from the aspirants of the



Constables' examination.

The learned counsel for the petitioner submits that no recovery has been made from the petitioner much less, no direct evidence has transpired during the course of investigation. It is further submitted that the petitioner is having a clean antecedent.

Having regards to the facts and circumstances of the case, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail. Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bhabhua at Kaimur in connection with Mohania PS case no. 564 of 2017 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

It is further directed that the petitioner shall join investigation and would be present at the place where the investigating agency directs the petitioner to be present. It is clarified that if the prosecution finds that the petitioner is not



cooperating in investigation then it would be free to move this
Court for cancellation of the bail.

(Mohit Kumar Shah, J)

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