

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32614 of 2018

Arising Out of PS.Case No. -810 Year- 2017 Thana -BIHTA District- PATNA

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1. DURGESH RAJ @ DURGESH RAI S/o Haribansh Pandey, R/o Village Ghewra, Police Station- Kochas, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumari Jyoti

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 02-07-2018 The petitioner is apprehending his arrest in connection with Bihta P.S. Case No. 810 of 2017, registered for offences punishable under Sections 419, 420, 467, 468/34 of the Indian Penal Code.

Allegation as per F.I.R is that police intercepted a vehicle and arrested five persons including driver of the vehicle and it is stated that one person succeeded in fleeing away and some documents were recovered and there is allegation that they were going to appear in the examination of constable in place of other candidates.

It has been submitted on behalf of the petitioner that he has falsely been dragged in this case and there is nothing to show that he is going to appear in the examination of constable in place



of other candidates. Petitioner is a student of B.Ed. course under Arya Bhatha Knowledge University and his examination for B.Ed commenced on 10.10.2017 and was to conclude on 18.10.2017 and petitioner was regularly appearing in the said examination and allegation that he was to appear in the constable examination in place of others, is completely false and concocted.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, let the petitioner above named, 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, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Danapur in connection with Bihta P.S. Case No. 810 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, it is further subject to the condition that:-

- (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 shall cooperate in the investigation and make himself available as



and when required by the police and on the event of failure on his part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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