

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1443 of 2018

Arising Out of PS.Case No. -534 Year- 2017 Thana -KOTWALI District- PATNA

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Awadhesh Kumar, son of Late Shivdyal Kunwar, resident of Village-
Kishunpur, P.S. Jalalpur Bazar, District- Saran.

.... Petitioner

Versus

1. The State of Bihar.
2. Bihar School Examination Board through its Secretary.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Prakash Kumar, Advocate

For the Opposite Party/s : Smt. Pronati Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 19-01-2018

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

The petitioner seeks pre-arrest bail in connection
with Patna Kotwali P.S. Case No. 534 of 2017 registered under
Sections 417, 418, 419, 420, 465, 466, 467, 468 and 120B of the
Indian Penal Code.

It is submitted by the learned counsel for the
petitioner that even if the entire allegations made in the FIR are
accepted to be true, no offence under any provisions of law
mentioned in the FIR would be attracted against the petitioner.
He submitted that it was the duty of the school to verify the
details of the students from the details kept in the school record
and check list issued by the board and, after verification, if any



error was found, it was the duty of the school administration to point out the said error and inform the board with evidence in this regard, but the school failed to provide the board any information about any error found in the registration or admit card in favour of 28 girls students who were allowed to appear in the examination.

Learned counsel for the State and learned counsel for the Board contested the matter and opposed the application for grant of pre-arrest bail to the petitioner.

Regard being had to the nature of allegation and the submissions made on behalf of the petitioner, in the event of arrest or surrender in the court below within six weeks from today, he 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, Patna in connection with Patna Kotwali P.S. Case No. 534 of 2017 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

Sanjeet/-

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