

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62621 of 2017

Arising Out of PS.Case No. -355 Year- 2017 Thana -KOTWALI District- MUNGER

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1. Raju Kumar S/o Suresh Prasad Yadav @ Suresh Yadav, R/o Village-
Kalyanchak, Dariyapur, P.S.- Muffasil, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jyoti Ranjan Jha

For the Opposite Party/s : Mr. Sri Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

3 23-01-2018 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 Kotwali (Purabsarai) P.S. Case No. 355 of 2017 registered for the offence punishable under Sections 419/420 of the Indian Penal Code and Section 10 of the Bihar Conduct of Examination Act, 1981.

The case of the prosecution is that one Amit Kumar Himanshu was giving exam pertaining to appointment of Constables and he was, in fact, impersonating the petitioner herein.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, he has a clean antecedent and the co-accused person, namely, Amit Kumar Himanshu has already been granted bail.

Having regard to the facts and circumstances of the



case, more particularly the fact that the petitioner is a student of young age, I deem it fit and proper to enlarge 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, on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M, Munger in connection with Kotwali (Purabsarai) P.S. Case No. 355 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It is further directed that the petitioner would join investigation and cooperate with the investigating agency and in case, the prosecution finds that the petitioner is not cooperating in the investigation, the prosecution would be free to move this Court for cancellation of bail.

The petitioner is further directed to appear on each and every date before the learned trial court on the date fixed and in case of two consecutive defaults, the present privilege of anticipatory bail would stand cancelled automatically and the petitioner would be taken into custody forthwith.

(Mohit Kumar Shah, J)

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