

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48089 of 2018

Arising Out of PS. Case No.-83 Year-2015 Thana- BIHARSHARIF District- Nalanda

Abhay Kumar S/o Ram Briksh Singh resident of Village- Rangila Bigha, P.S.
Nalanda, District Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rewti Kant Raman

For the Opposite Party/s : Mr. Smt. Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 18-09-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection with **Bihar P.S. Case No. 83 of 2015** registered for the offence punishable under Sections 419, 420/34 of the Indian Penal Code and Section 10 of the Bihar Conduct of Examination Act, 1981.

Allegation against the petitioner is that he made to appear some other person at the examination in his place.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. It has been further submitted that petitioner has no concern with co-accused Mithu Kumar who was arrested at the spot. Petitioner has got no criminal antecedent.

Considering the aforesaid facts and circumstances of



the case, let the petitioner named above be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, Nalanda**, in connection with **Bihar P.S. Case No. 83 of 2015**, subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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