

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20341 of 2018

Arising Out of PS. Case No.-149 Year-2018 Thana- JAHANABAD District- Jehanabad

Nishant Kumar, S/o-Bimlesh Sharma, Roll No. 1800175, R/o Village-
Chhandhariya, P.S.- Ghosi, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra

For the Opposite Party/s : Mr. Sri Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-04-2018 Heard learned counsels for the petitioner and State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Section 419 of the IPC and Sections 3 and 10 of the Bihar Conduct of Examination Act, 1981.

The prosecution case, as per the written report of the Centre Superintendent of Sidharth Teacher Training College, Jehanabad dated 23.02.2018, submitted to the Station House Officer, Jehanabad Town Police Station, to the effect that someone else was appearing in place of the petitioner at the examination of 10th Board conducted by Bihar School



Examination Board, but he escaped from the scene, hence identity of that person could not be ascertained.

It is submitted by learned counsel for the petitioner that the petitioner had no knowledge about someone appearing at the examination in his place. The offence under Section 419 IPC is bailable and even assuming the accusation, no offence under Sections 3 and 10 of the Bihar Conduct of Examination Act, 1981 is made out against the petitioner. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is further submitted that non-grant of bail to the petitioner will jeopardize his entire career.

Considering the thrust of accusation against the person, who was appearing at the examination in place of the petitioner, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in connection with Jehanabad P.S. Case



No. 149 of 2018, subject to the condition as laid down under
Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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