

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13646 of 2018

Arising Out of PS.Case No. -673 Year- 2017 Thana -BANKA District- BANKA

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1. Kanhaiya Kumar @ Kanhaiya Kumar Mandal, Son of Sri Laddu Mandal,
Resident of Village- Puranchak, P.O.- Mahadeopur, P.S.- Amarpur,
District- Banka (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raju Giri

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-04-2018 The petitioner is apprehending his arrest in connection with Banka P.S. Case No. 673 of 2017, registered for offences punishable under Sections 419, 420 and 120(B) of the Indian Penal Code.

Allegation against the petitioner that he impersonated himself and in his place one Sonu Kumar was found giving examination and on being apprehended said Sonu Kumar disclosed that he was giving the examination in place of petitioner.

It has been submitted on behalf of the petitioner that save and except the disclosure made by the apprehended person, there is nothing against the petitioner so as to show that the said sonu Kumar has appeared in the examination in place of the petitioner. In fact the petitioner had not gone to appear in the examination



and he had no knowledge that someone else is using his Admit Card. Further the co-accused Sonu Kumar has already been enlarged on regular bail.

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 CJM, Banka, in connection with Banka P.S. Case No. 673 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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