IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28335 of 2018

Arising Out of PS.Case No. -52 Year- 2018 Thana -GARDANIBAGH District- PATNA

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1. Rajesh Kumar, S/o Bijendra Tuddu, R/o Mohalla- Ward No.-15, Kalamawadi, Barbana, P.O.- Meriganj, P.S.- Raniganj, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate
For the Opposite Party/s : Mr. Braj Kishore Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

03 23-05-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in Gardanibagh P.S. Case No. 52 of 2018 registered under Sections 417, 420 of the Indian Penal Code.

As per the prosecution case, someone else has impersonated the petitioner in the examination for selection of constable as the thumb impression of the petitioner taken at the time of written examination did not match with that taken at the time of physical test and the petitioner during course of inquiry, has also admitted his aforesaid fault.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. He has not

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made any admission before police authority. As the thumb impression of the petitioner taken at the time of his physical test did not match with that taken at the time of his written examination then why he was not checked from appearing in the physical test rather was allowed and he stood passed. He has no criminal antecedent. He has been languishing in custody since 23.02.2018.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Judge-XIV-cum-A.C.J.M., Patna in connection with Gardanibagh P.S. Case No. 52 of 2018.

(Prakash Chandra Jaiswal, J)

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