

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57704 of 2017

Arising Out of PS.Case No. -573 Year- 2015 Thana -SHASTRINAGAR District- PATNA

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Md. Farooque Khan, son of Md. Salauddin Khan, residnet of village-Sarfuddinpur, P.S.-Bihta, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar &
2. National Institute of Open Schooling, Regional Centre, Patna, at Lalit Bhawan, BaileyRoad, Patna-800 001 through its Regional Director.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Ambastha, Advocate

For the Opposite Party No.1: Mr. Awadhesh Kumar Singh, APP

For the Opposite Party No.2: Mr. Rakesh Kumar Sinha, CGC

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

8/ 04-07-2018

Heard learned counsel for the petitioner and learned

APP for the State as well as learned CGC.

Petitioner apprehends his arrest in **Shastrinagar P.S. Case No.573 of 2015** instituted for the offence under Section(s) 420, 468, 4701, 471/34 Indian Penal Code pending in the Court of the **Judicial Magistrate, 1st class, Patna.**

Prosecution case is lodged by the Regional Director, National Institute of Open Schooling with allegation that 28.10.2015 date was fixed for examination of Biology vide Code No.314 of National Institute of Open Schooling. The informant on the same day at about 11.06 AM received question of Biology, Code No.314 through email ID Digital Graphics Bihta @



gmail.com. The informant informed the matter to the concerned authority of Head Office. It was found on enquiry at 3.00PM when examination commenced that question paper was same, which was to be given to the examinees in the examination. On enquiry, it was also found that email ID was connected with Mobile No.7766046219. It was found that the aforesaid mobile numbers belongs to this petitioner.

The Additional Sessions Judge has mentioned in the impugned order that this petitioner is presently working as Driver with one Ram Binay Singh, who is Director, Awasiya Bal Pratiyogita Niketan.

There is serious allegation against the petitioner of leaking the question paper.

In such circumstances, this Court does not find it a fit case for grant of anticipatory bail.

Prayer of the petitioner for grant of anticipatory bail is **rejected**.

JA/-

(Sanjay Priya, J)

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