

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69661 of 2018

Arising Out of PS. Case No.-79 Year-2018 Thana- AIRPORT District- Patna

Subodh Kumar Das Son of Sri Mithilesh Paswan, Resident of Usmanpur P.S.
Bakhtiyarpur, District Patna Pin-803211.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh
For the Opposite Party/s : Mr. Sri Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 18-12-2018 Heard learned counsel for the parties.

This application for anticipatory bail arises out of
Hawai Adda P.S. Case No. 79 of 2018, disclosing offences
under Sections 420, 467, 468 and 471 of the Indian Penal Code.

The petitioner was participating in the counselling of
Second Graduate Level Combined Competitive (Mains)
Examination, 2014. The allegation against him is that he
manage to escape from the process of counselling at the time of
bio-metric identification, fraudulently and, therefore, his
signature, hand writing and his photograph could not be
compared with the previous records.

Learned counsel for the petitioner contends that even
if the allegation as made in the first information report is taken



to be true, no offence as alleged is made out against the petitioner, as at the maximum, it can be said to be 'preparation' to commit an offence. He secondly submits that, as a matter of fact, the petitioner has not gone for counselling at all.

Considering the facts and circumstances of the case, this application is allowed. Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand), with two sureties of the like amount each, to the satisfaction of Smt. Tanbir Kant Judicial Magistrate 1st Class, Patna in Hawai Adda P.S. Case No. 79 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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