

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7797 of 2018

Arising Out of PS. Case No.-675 Year-2017 Thana- BANKA District- Banka

Krishna Kumar, son of Jai Prakash Yadav, Resident of Village- Eksingha,
Samukhia More, P.S. Banka, District- Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Manoj Kumar

For the Opposite Party/s : Mr. SRI ABHAY KUMAR ROY

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 20-02-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection with
Banka P.S. Case No. 657 of 2017, registered for the offences
punishable under Sections 419, 420, 120(B) of the Indian Penal
Code and Section 6, 10 Bihar Examination Control Act..

Allegedly, in place of the petitioner one Chandan
Kumar Rana was found appearing in the examination for the
recruitment of constable.

Submission is of false implication and that there is
no legal and tangible material against the petitioner, he has not
instructed Chandan Kumar Rana to appear in place of the
petitioner. The petitioner has been made victim of the



circumstances. No offence under Section 420 I.P.C. is made out. The petitioner at the time of examination was ill and he was not in a position to sit in examination, without any knowledge of the petitioner Chandan Kumar Rana done the act. However, there is no wrongful loss or wrongful gain to any one and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. seriously opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, considering the allegation, I am not inclined to grant privilege of pre-arrest bail to him and accordingly his such prayer stands rejected in connection with Banka P.S. Case No. 675 of 2017, pending in the Court of learned Chief Judicial Magistrate, Banka.

(Jitendra Mohan Sharma, J.)

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