

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24754 of 2018

Arising Out of PS.Case No. -53 Year- 2018 Thana -GARDANIBAGH District- PATNA

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Rakesh Kumar S/o Dayanand Mandal, R/o Vill.- Sarauni Kala, P.S.-
Bihariganj, District- Madhepura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Smt. Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 18-05-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner, who is in custody since 24.02.2018, seeks
bail in connection with Gardanibagh P.S. Case No.53 of 2018
registered for the offences under Sections 417 and 420 of the
Indian Penal Code.

It is alleged that when the petitioner appeared for
physical test for appointment on the post of constable, it was
noticed that some other candidates had appeared in the written
test impersonating himself as the petitioner.

It has been submitted that the finding is on the basis of
biometric attendance of the petitioner and similarly situated co-
accused have been granted bail by different coordinate Bench of



this Court in Cr.Misc.No.26039 of 2018, Cr.Misc.No.26389 of 2018, Cr.Misc.No.27135 of 2018 and Cr.Misc.No.28595 of 2018.

The case of the petitioner stands on similar footing.

The learned A.P.P. for the State opposed the submission.

Considering the facts and circumstances of the case, the prayer for bail is allowed and the above named petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the likewise amount each to the satisfaction of learned A.C.J.M. XIV, Patna in connection with Gardanibagh P.S. Case No.53 of 2018, subject to the following conditions:-

- (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 will not induce any witness or tamper with the evidence.
- (iii) If the petitioner is found involved in future in similar type of allegation, the prosecution will have liberty to move for cancellation of bail.
- (iv) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Sanjay Kumar, J)

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