

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55391 of 2018

Arising Out of PS.Case No. -82 Year- 2018 Thana -FORBESGANJ District- ARRARIA

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Sagar Kumar son of Parmanand Sah, Resident of Village- Kachahari
Baluwa, Police Station- Sarsi, District- Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the State : Mr. S.M. Rahman, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH**

ORAL ORDER

2 20-09-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Forbesganj P.S. Case No.82 of 2018 registered under Sections 420
of the Indian Penal Code and Sections 3 and 4 of the Bihar
Examination Conduct Act.

It is contended that even if the entire allegations
made in the first information report are believed to be true, the
offence punishable under Section 419 of the Indian Penal Code
would be made out which is bailable in nature. It is further
contended that the ingredients of the offence punishable under
Section 420 of the Indian Penal Code are not attracted in the
present case as there no allegation of inducement or dishonest



intention right at the beginning in order to cheat any person.

Be that as it may, considering the allegation that in place of the petitioner his younger brother was found appearing in the intermediate examination, I am not inclined to grant him pre-arrest bail.

Accordingly, the prayer for grant of pre-arrest bail to the petitioner is dismissed.

However, if the petitioner surrenders and seeks bail, the same shall be considered and disposed of on its own merits without being prejudiced in any manner by this order.

(Ashwani Kumar Singh, J)

Md.S./-

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