

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3094 of 2019

Arising Out of PS. Case No.-512 Year-2018 Thana- NAWADA District- Nawada

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1. Vinod Mahatha, (Male, aged about 34 years), Son of Vadri Mahatha, Resident of Village- Shrirampur, P.S.- Giridih, Dist- Giridih (Jharkhand)
 2. Prabhat Kumar (Male, aged about 36 years), Son of Saket Bihari, Resident of Bhimbigha. P.S.- Narhat. Dist- Nawada.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Ajay Mishra

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-02-2019 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 419 and 420/34 of the IPC and Sections 3 and 10 of the Bihar Conduct of Examinations Act, 1981.

The prosecution case is to the effect that at the Intermediate examination, co-accused Binod Kumar and Vikash Kumar were found imposter for the petitioners.

It is submitted by learned counsel for the petitioners that the petitioners had no knowledge about co-accused Binod Kumar and Vikash Kumar, imposter for them and even assuming the accusation to be true, the offence only under



Section 419 IPC is made out against the petitioners. Moreover, non-grant of bail to the petitioners will jeopardize the educational career of the petitioners. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that accusation against the petitioners is specific.

Considering the nature of accusation, coupled with the statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned CJM, Nawada in connection with Nawada Town P.S. Case No. 512 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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