

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21219 of 2019**

Arising Out of PS. Case No.-44 Year-2019 Thana- BIHARIGANJ District- Madhepura

MANISH KUMAR, aged about 20 years, (Male), Son of Gobind Yadav @ Govind Yadav, Resident of Village - Bharrahi Bazar, P.S.- Madhepura, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Sanjay Kumar Singh, Adv.

For the Opposite Party/s : Mr.Ajay Mishra (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 04-04-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail registered for the offences punishable under Sections 419, 420, 34 of the Indian Penal Code and Sections 10 of Bihar Conduct of Examination Act, 1981.

As per F.I.R., the allegation is that on 12.02.2019 petitioner (Manish Kumar) was appearing in examination of Geography subject in second sitting of Intermediate Examination - 2019 in place of his brother-in-law (sala) namely, Manjesh Kumar at Hansi Mandal College, Bihariganj (Madhepura) Examination Centre.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely



implicated in this case on the basis of suspicion. Petitioner has no criminal antecedent and is in custody since 13.02.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Bihariganj P.S. Case No. 44 of 2019, subject to conditions:

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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