

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33557 of 2019

Arising Out of PS. Case No.-164 Year-2019 Thana- KOTWALI District- Patna

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Karu Kumar S/o Bhasho R/o village- Gopichak, P.S.- Sheikhpura, District-Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No2
For the Opposite Party/s : Mr. Rabindra Kumar

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 22-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Kotwali P.S. Case No. 164 of 2019 registered for the offence punishable under Sections 417, 418, 419, 420 and 120(B) of the Indian Penal Code and Section 3 of the Examination Act-1982.

Though, biometric of the petitioner taken at the time of examination of C.B.T. and that taken at the time of his counselling was found matching, but on verification of Aadhar Card, the photo on the said Aadhar Card is not matching with that of the petitioner indicating that some other person had appeared in the aforesaid examination in place of the petitioner to conceal his date of birth.

It is submitted by learned counsel for the petitioner



that the petitioner has no concern with the aforesaid occurrence. He has been falsely implicated in this case. As per the prosecution case itself biometric of the petitioner taken at the examination center was found matching with the biometric taken at the time of counselling of the petitioner which itself indicates that the petitioner had appeared in the aforesaid examination and not committed any cheating. Aadhar card and the photographs of the petitioner taken on the center i.e. at the time of examination and his counselling have not been properly verified. Petitioner has no criminal antecedent and has been languishing in custody since 25.02.2019.

On the other hand, learned APP for the State opposed the bail prayer of the petitioner.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Patna in connection with Kotwali P.S. Case No. 164 of 2019.

(Prakash Chandra Jaiswal, J)

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