

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35245 of 2019

Arising Out of PS. Case No.-441 Year-2018 Thana- RUPASPUR District- Patna

VINAY KUMAR Son of Ram Chandra Yadav Resident of Village-Nagar,
Police Station-Bikram, District-Patna. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner : Mr.Ganesh Prasad Yadav, Advocate
For the Opposite Party : Mr.Nand Kumar, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-05-2019 Heard learned counsel for the petitioner as well as
learned counsel for the State.

Petitioner apprehends arrest in a case registered for
the offences punishable under Section 10 of the Bihar
Examination Conduct Act, 1981.

Informant, center head of the railway recruitment
examination, alleges that the petitioner was expelled from
taking part in the examination being conducted for appointment
in railways and the instant case was instituted against him on the
allegation that he was appearing in the said examination using
Admit card of his friend Dilip Kumar.

Learned counsel for the petitioner submits that he is
student and has falsely been implicated in this case. He has no
criminal antecedent and offence under section 10 of the Bihar
Examination Conduct Act, 1981 is not attracted against him as



he was not arrested at the spot. He further submits that the maximum punishment for the offence under the aforesaid section is of six months.

Considering the facts of the case, let the petitioner, above named, in the event of his arrest/surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate II, Danapur in Rupaspur Police Station Case No. 441 of 2018, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully co-operate with the investigation and trial of the case, failing which the Court below shall be at liberty to cancel the bail bond of the petitioner.

(Prabhat Kumar Singh, J)

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