

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34698 of 2019

Arising Out of PS. Case No.-897 Year-2018 Thana- PHULWARISHARIF District- Patna

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Jiylal Kumar @ Jiya Lal @ Jiya Lal Kumar, aged about 20 years, Gender- Male, Son of Bhim Yadav, Resident of Village- Misirbigha, P.S.- Jamui, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

For the Opposite Party/s : Mr.Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 28-05-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 419, 420, 120(B) of the Indian Penal Code and Section 10 of the Bihar Conduct of Examination Act, 1981.

The prosecution case is that the informant is the Centre Superintendent, IOL, Phulwarisharif and on 31.10.2018 examination of RRB, Grade-D, Level-1 was conducted at IOL, Digital Zone, Phulwarisharif, Patna. In the second session of the examination which was to commence from 12.00 to 02.00 P.M. admit Card of the candidates were being verified at the entry gate itself from admit card downloaded from the RRB website



and upon verification it was found that the photo on both the admit cards were different. Upon enquiry the candidate disclosed his name as Guddu Kumar and said that he was trying to appear in the examination in place of his uncle Jiya Lal having roll No.262089095640020 and registration No.2680241145. The accused further disclosed that in the said fraud one more person is involved, who is currently giving examination and his name as Devilal having Roll No. 262089095640041 and Registration No 2680241077.

The contention of the petitioner is that the petitioner has got no criminal antecedent and no case under Sections 419 and 420 of the IPC is made out against the petitioner. He further submits that the allegation of impersonation is against co-accused Guddu Kumar and so far this petitioner is concerned and there is no specific allegation against him. In fact the admit card issued in the name of the petitioner has been used by the co-accused Guddu Kumar without his consent.

Considering the facts aforesaid, let the petitioner above named, in the event of his arrest or 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 bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like



amount each to the satisfaction of learned Sub Judge-XV-cum-ACJM, Patna/successor Court in connection with Phulwarisharif P.S. Case No. 897 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the petitioner.

(Prabhat Kumar Singh, J)

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