

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46763 of 2019

Arising Out of PS. Case No.-48 Year-2017 Thana- LAKHISARAI District- Lakhisarai

RAGHUBIR KUMAR @ RAGHUBIR YADAV Son of Shankar Prasad
Yadav Resident of village- Nista, P.S.- Suryagarha, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Jain, Advocate

For the Opposite Party/s : Dr. (Mrs.) Indivar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 29-07-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Lakhisarai (Kabaiya) P.S. Case No. 48 of 2017, disclosing the offence under Sections 419, 420, 467, 468, 120-B of the Indian Penal Code and Section 10 of the Bihar Conduct of Examination Act, 1981.

In the process of selection as Home Guard, petitioner was an applicant with his Roll No. 655. It is alleged that instead he himself participating in the process of selection he allowed one Bambam Kumar to participate in the physical test which was detected. Said Bambam Kumar is said to have accepted that he had taken money from the petitioner to participate in the process of physical test.

Learned counsel appearing on behalf of the petitioner



has submitted that petitioner has wrongly been implicated in the criminal case and in any event he is ready to participate in the investigation by the police and he shall always present himself before the Investigating Officer or the Court as and when required.

Considering the above submission, this application is allowed. Let the petitioner, above-named, in the event of his arrest/surrender within six weeks from today in the court below, 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 the learned CJM, Lakhisarai in Lakhisarai (Kabaiya) P.S. Case No. 48 of 2017, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/ Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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