

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58040 of 2019

Arising Out of PS. Case No.-624 Year-2019 Thana- FORBESGANJ District- Araria

Md. Sahbaz @ Md. Sahwaz Hussain Son of Md. Khwaja Husain @ Md. Khuwaza Hussain @ Khwaja Hussain Resident of Village - Bandop Pokharia, P.S.- Araria (Bairgachhi), Distt - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 13-09-2019 Heard learned counsel for the petitioner and learned APP representing the State.

The petitioner apprehends his arrest in connection with Forbesganj P.S. Case No. 624 of 2019, registered under Section 420 of the Indian Penal Code and Sections 3/4 of Bihar Examination Act.

The allegation against the petitioner, as per FIR, is that on 02.07.2019 in the first sitting of examination of Maulvi-2019, the petitioner who was examinee of the Maulvi examination did not sit in the examination and he allowed his cousin Mohd. Ehatsham to take the examination in his place.

Learned counsel for the petitioner submits that the petitioner is innocent person and student of Maulvi equivalent to



matriculation. He further submits that the career of the petitioner will be jeopardized, if he is sent jail.

After having heard learned counsel for the parties and taking into consideration the fact that the petitioner is student and studying at the matriculation level equivalent to Maulvi, I am inclined to grant anticipatory bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from today, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 624 of 2019; subject to condition as laid down hereinabove and under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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