

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.61077 of 2019**

Arising Out of PS. Case No.-79 Year-2018 Thana- AURANGABAD TOWN District-  
Aurangabad

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Mantosh Kumar, aged about 25 years, Gender- Male, Son of Ramashray Paswan, Resident of Village - Madhokhap, P.S.- Madanpur, Distt - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bhaskar Shankar, Adv.

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP.

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      26-09-2019                      Heard learned counsel for the petitioner and learned  
counsel appearing on behalf of the State.

The petitioner apprehends his arrest in connection with Aurangabad (Town) P.S. Case No. 79 of 2018 registered under sections 420 of IPC and Section 10 of Bihar Exam Conduct Act, 1981.

The allegation against the petitioner, as per the first information report, is that in the preliminary examination conducted by the Bihar Police Subordinate Commission, Patna at Sachidanand College, Aurangabad candidate i.e. the petitioner did not deposit the carbon copy of OMR answer sheet.

Mr. Krishna Prasad Singh, learned senior counsel appearing for the petitioner submits that the petitioner has



falsely been implicated in this case inasmuch as from perusal of the first information report itself, it would be evident that both OMR sheet was submitted by the petitioner after the examination was over. It appears that subsequently, the invigilator submitted a letter before the Superintendent of Examination Center i.e. Sachidanand College, Aurangabad in which he complained that the petitioner did not submit the carbon copy of the OMR sheet. Learned senior counsel further submits that the original as well as carbon copy was submitted by the petitioner after the examination was over and nothing was taken by the petitioner along with himself.

Having regard the submission made by the parties and taking into consideration the fact that the petitioner had submitted the original OMR sheet, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, in the event of arrest or surrender before the learned Court below within a period of four weeks from today shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Aurangabad, in connection with Aurangabad (Town) P.S. Case



No. 79 of 2018, subject to the condition as laid down under  
Section 438(2) of the Cr.P.C.

**(Anil Kumar Sinha, J)**

Anjula/-

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