

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71089 of 2019

Arising Out of PS. Case No.-65 Year-2018 Thana- SUPAUL District- Supaul

Shankar Kumar Yadav Son of Shiv Narayan Yadav, Resident of Village- Ward
No. 3, Thariya, P.S.- Kishanpur, District- Supaul.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Amar Nath Yadav, Advocate

For the Opposite Party/s : Mr.Narendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking anticipatory
bail in connection with Supaul P.S. Case No. 65 of 2018
registered for the offences punishable under Sections 419, 420,
467, 468, 120B of the Indian Penal Code and Section 10 of
Bihar Conduct of Examination Act, 1981.

Learned counsel for the petitioner submits that the
petitioner has been implicated in this false and fabricated case
merely on the basis of suspicion. He has no knowledge about
one other co-accused Sumit Kumar Mandal who was caught by
the examination controller.

Learned A.P.P. for the State has opposed the prayer for
bail.



Considering the facts and circumstances of this case, wherein it is alleged that in place of this petitioner one Sumit Kumar Mandal was appearing in the Intermediate Examination and the allegation against the petitioner that he had connived with said Sumit Kumar Mandal and wanted to get a degree by duping the authorities, this Court is not inclined to grant privilege of anticipatory bail to the petitioner, however, the Court has been informed that the co-accused Sumit Kumar Mandal has already been granted regular bail from the court below itself.

In case, the petitioner surrenders and prays for regular bail citing the order of said Sumit Kumar Mandal, considering that the petitioner is a student and hardly aged about 22 years, the court below shall consider his prayer for regular bail on the same day and will also consider the fact that the co-accused has been granted regular bail.

(Rajeev Ranjan Prasad, J)

vats/ved

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