

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66280 of 2018

Arising Out of PS. Case No.-321 Year-2018 Thana- JAKKANPUR District- Patna

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Akshay Kumar @ Akshay, Son of Umesh Kumar, resident of Village
Temtha, P.S.- Parbatta, District Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Adv
For the Opposite Party/s : Mr.Uday Chand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 03-01-2019 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 420, 467, 468, 471 IPC, Section 10 of the Bihar Examination Control Act and Section 66(D) and 66(E) of the Information Technology Act, 2000 registered in connection with Jakkanpur (Patna) P.S. Case No. 321 of 2018.

3. It is submitted that the petitioner has been falsely implicated merely he happens to be a member of the WhatsApp group from which the leaked examination paper was forwarded. It is submitted that the person in whose custody the question papers were kept has been made



accused. Similarly situated co-accused Arpit Raj has been granted anticipatory bail by this Court in Cr. Misc. No. 58536 of 2018. The petitioner claims clean antecedents.

4. Having regard to the entirety of the facts and circumstances, as such, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned ACJM II, Patna, in connection with Jakkanpur (Patna) P.S. Case No. 321 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail



(iv) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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