

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15392 of 2020

Arising Out of PS. Case No.-168 Year-2016 Thana- NAWADA District- Nawada

Jadunandan Kumar, Male, aged about 23 years, Son of Baleshwar Prasad,
Resident of Village + P.S. - Meskaur, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 14-09-2020 Heard Mr. Birendra Kumar, learned counsel for the petitioner and Mr. Ganesh Prasad Singh, learned Additional P.P. through video conferencing.

The petitioner apprehends his arrest in Nawada Town P.S. Case No.168 of 2016, registered under Sections 147, 149, 341, 419, 420, 467, 468, 471, 224, 225 and 337 of the Indian Penal Code.

The informant alleged that the Centre Superintendent of Kanhai Lal College arrested six persons who after impersonating the actual examinees of B.S.E.B. were appearing at the examination. When the informant and the police officials were coming out with all the six persons including the petitioner, Jadunandan Kumar, the people started pelting stones and forcibly took away three persons including the petitioner, Jadunandan Kumar.

Learned counsel for the petitioner submits that the petitioner was not apprehended on the spot and nothing has been recovered from possession of the petitioner. The petitioner has



got no criminal antecedent, but it appears from perusal of the FIR itself that the Centre Superintendent apprehended six persons, namely, Ashutosh Kumar, Amit Mistri, Shankar Kumar, Mukesh Kumar Choudhary, Raushan Kumar and the petitioner, Yadunandan Kumar. Yadunandan Kumar impersonated the real examinee Ashok Kumar and he was appearing at the examination on the roll number of Ashok Kumar but he was apprehended along with five other persons. When the informant along with the police officials were bringing the apprehended accused to the police station, many persons started pelting stones at the gate of the college and they managed to take away the petitioner and two other accused persons from the custody of the police.

Taking into consideration the facts that firstly the petitioner after impersonating Ashok Kumar was appearing at the secondary school examination in place of Ashok Kumar and when the petitioner was apprehended, his men forcibly took him away from the custody of the police, I am not inclined to enlarge the petitioner on anticipatory bail.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Prabhat Kumar Jha, J)

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