

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14581 of 2020

Arising Out of PS. Case No.-32 Year-2019 Thana- MUFFASIL District- Aurangabad

RAJ KUMAR Son of Dinanath Yadav Resident of Village-Nilkothi Baghoi,
P.S.-Muffasil, District-Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sewak Prasad

For the Opposite Party/s : Mr.Akshay Lal Pandit
Mr. Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-07-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Mr. Ashok Kumar, the learned APP appearing for the State.

The petitioner apprehends his arrest in connection with Muffasil P.S. Case No. 32 of 2019 for the offence punishable under Sections 419/ 420 of the Indian Penal Code and section 10 of Bihar Conduct of Examination Act.

The accusation against the petitioner is regarding the co-accused person namely Ankit Kumar having impersonated the petitioner herein and had appeared in the examination in question, being held at Mahesh Academy.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the



present case and is having a clean antecedent. It is further submitted that the petitioner has got no complicity in the matter since he had not appeared in the examination in question on the alleged date of occurrence as he was unwell.

The learned A.P.P. appearing for the State has vehemently opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the fact that the petitioner is having a clean antecedent, is a young boy and is having a prospective career, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender in the court below within a period of four weeks from today, the petitioner, above named, is directed to be released on anticipatory bail on furnishing bail- bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Aurangabad, in connection with Muffasil P.S. Case No. 32 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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