

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.14492 of 2020**

Arising Out of PS. Case No.-446 Year-2019 Thana- KISHANGANJ District- Kishanganj

MD. SONU S/o Md. Tufail R/o village- Mirzapur Bardah, P.S.- Kishanganj,  
District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Surendra Prasad Singh, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

3      17-12-2020      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 appearing for the petitioner and Shri Ashok Kumar, learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Kishanganj P.S. Case No. 446 of 2019 for the offence punishable under Sections 419, 420 and 120(B) of the Indian Penal Code.

The allegation is regarding three persons having been caught by the informant on 01.09.2019 during the course of written examination of the candidates for the post of C.T.(TM)-2019 being held at St. Xavier School, Kishanganj, Bihar at 8:40



hours and during the course of frisking and subsequent verification of the photograph from the admit card it was found that the same did not match with the call letter of the written examination and it is alleged that the petitioner had appeared in the said written examination in place of another candidate.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and is having a clean antecedent. It is further submitted that the petitioner is a young boy and his entire career is at stake, hence mercy be shown upon him. It is also submitted that the petitioner is ready and willing to abide by such conditions as may be deemed fit and proper to be imposed by this Court for the purposes of grant of anticipatory bail.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for 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 materials available on record, I deem it fit and appropriate, considering the young age of the petitioner, to admit the petitioner to the privilege of anticipatory bail, however, subject to certain conditions so that the investigation of this case can be completed.



Accordingly, the petitioner, above named, is directed to be released on anticipatory bail in the event of his arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj in connection with Kishanganj P.S. Case No. 446 of 2019 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

It is further directed that the petitioner would mark his attendance before the Officer In-Charge of the concerned Police Station at 10:00 A.M. on every Monday of the week and in the event of his failure to do so on two consecutive occasion, the present privilege of bail shall stand cancelled automatically and the petitioner shall be taken into custody forthwith.

**(Mohit Kumar Shah, J)**

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