

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20788 of 2020

Arising Out of PS. Case No.-81 Year-2020 Thana- SHASTRINAGAR District- Patna

Priyadarshi Raj @ Akhilesh Kumar S/o Haran Yadav @ Harinandan Yadav @
Harnandan Yadav R/o Village- Tartar, P.S.- Mokama (Ghoshwari), Distt-
Patna (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr. Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-07-2020 The matter has been taken up through virtual

Court proceeding.

Since the physical court proceeding is non-
functional due to the present pandemic COVID-19, the
matter is listed with defects.

Learned counsel for the petitioner is expected
to remove the defects within three weeks of the
resumption of the physical Court proceedings.

In case of non-removal of the defects within
undertaken period, the office shall place the matter
before the bench.

None appears on behalf of the petitioner.



However, learned counsel for the State is present.

The petitioner is languishing in custody since 03.02.2020 in a case registered for the offences punishable under Sections 419, 420, 34 of the Indian Penal Code, 1860.

The prosecution case as per the written report dated 03.02.2020 of Examination Centre Superintendent, K.B. Sahai High School, Sheikhpura, Patna, submitted to the S.H.O, Shastri Nagar Police Station is to the effect that petitioner was found impersonating and appearing as another candidate in the intermediate examination, namely Deep Kumar, leading to the registration of the present case.

From the pleadings, it appears that investigation has already been concluded and the petitioner is not having any criminal antecedent, a statement to that effect has been made in para 3 of the petition.

Learned A.P.P. submits that petitioner was



caught impersonating as Deep Kumar in the intermediate examination.

Considering the fact that investigation has already been concluded and the petitioner is not having any criminal antecedent, let the petitioner, above named, be released on bail, for the present, provisionally for a period of three months on furnishing one surety to the satisfaction of learned Chief Judicial Magistrate, Patna in connection with Shastri Nagar P.S. Case No. 81 of 2019.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond on furnishing an undertaking by the surety, on photo copy of his Aadhar Card to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-Mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three



months on furnishing bail bond of Rs. 10,000/-(ten thousands) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna in connection with Shastri Nagar P.S. Case No. 81 of 2019. including one surety given at the time of provisional bail.

The learned Court below will be at liberty to further extend the period of provisional bail if the Court proceeding in physical mode will not resume in next three months.

Accordingly, the present application stands disposed of.

(Dinesh Kumar Singh, J)

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