

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1721 of 2020

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

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RAUSHAN KUMAR Son of Surendra Kumar Resident of Village-Nanhu
Bigha, P.S-Akbarpur, District-Nawada.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Hansraj

For the Opposite Party/s : Mr.Choubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-06-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 147, 149, 341, 419, 420, 467, 468,
471, 224, 225, 337 of the Indian Penal Code.

Allegedly, in course of proceeding of matriculation
examination at the examination centre of K.L.S. college
Nawada, six fake students were arrested and handed over to the
police. It is further alleged that when the police along with
arrested fake students came out, the parents of those fake



students started brick-batting and in consequence thereof, three examinees out of six succeeded in fleeing away.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been made accused in the present case due to mistake of fact. The allegation against the petitioner is that he was appearing in the matriculation examination in place of other candidate. The said allegation, made in the FIR is denied by the petitioner. There is no other substantive evidence to suggest the implication of the petitioner in the present case.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Nawada Town P.S. Case No. 168 of 2016 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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