

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5304 of 2022

Arising Out of PS. Case No.-684 Year-2021 Thana- DANAPUR District- Patna

Mithilesh Kumar, Son Of Ramchandra Sharma, Resident of Village-
Maheshpur, P.O.- Sare, P.S.- Ben, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pranav Kumar, Advocate

For the Opposite Party/s : Mrs.Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 09-06-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks from today.

In the present case, the petitioner seeks bail in
connection with Danapur P.S. Case No. 684 of 2021 registered
for the alleged offences under Sections 419, 420, 467, 468 of the
Indian Penal Code and Section 10 of the Bihar Conduct of
Examination Act, 1981.

The prosecution case is that the petitioner got another
person appeared in his place in the examination for the post of
Range Officer in the Forest Department.

It has been submitted by the learned counsel for the
petitioner that the petitioner himself appeared in the written



examination and there was no impersonation. Merely because of different handwriting, it cannot be said that someone else appeared in the written examination on behalf of the petitioner. The petitioner is in custody since 26.09.2021.

Learned APP has opposed the prayer for bail, submitting that it is a case of impersonation and the petitioner committed fraud upon the examination conducting agency.

Having regard to the submission made hereinabove and considering the period of custody, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1, Danapur, Patna/court concerned in connection with Danapur P.S. Case No.384 of 2021, subject to the following conditions :

- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.
- (ii) One of the bailors will be a close relative of the petitioner, preferably one of the parents.
- (iii) The petitioner will remain present on each and every date fixed by the court below.



(iv) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

V.K.Pandey/-

(Arun Kumar Jha, J)

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