

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10304 of 2022

Arising Out of PS. Case No.-637 Year-2014 Thana- NAWADA District- Nawada

Subodh Kumar Son Of Lutan Prasad Yadav R/O Village- Gondapur, P.S.-
Nawada, District- Nawada

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hansraj

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

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

The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 419, 468, 471 of the Indian Penal Code and Section 10 of the Bihar Conduct of Examination Act.

The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant, who is Principal Incharge of Jivan Deep Public School, alleges that on 19.10.2014, it was found that in Constable appointment examination, Suraj Kumar gave examination in place of Dina Nath Verma and Pankaj Kumar gave examination in place of petitioner. It is next alleged that Pankaj Kumar and Suraj Kumar were arrested from their exam room with admit card belonging



to the petitioner and Dina Nath Verma respectively.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. It is also submitted that his admit card was lost as would be evident from Para-8 of the anticipatory bail application. It is next submitted that petitioner is a student and in the event, if he is sent to jail, his entire career would be jeopardized. It is also submitted that even presuming what has been alleged is true without admitting for the purposes of anticipatory bail, then this is the first offence of the petitioner. It is further submitted that no process under Section 82 of the Cr.P.C. has been issued.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Nawada (Town) P. S. Case No.637 of 2014, subject to the conditions laid down under



Section 438(2) of the Cr.P.C.

It is pertinent to mention here that before accepting the bail bonds of the petitioner, the learned trial Court shall verify whether any process under Section 82 of the Cr.P.C. has been issued or not against the petitioner and in the event, if any process has been issued under Section 82 of the Cr.P.C. against the petitioner, then the present order of anticipatory bail shall not be acted upon.

With the aforesaid observation and direction, the instant petition is disposed of.

(Satyavrat Verma, J)

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