

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12143 of 2022

Arising Out of PS. Case No.-81 Year-2019 Thana- GANDHIMAIDAN District- Patna

Virendra Kumar, Son Of Mahendra Prasad Resident Of Village- Aalam Pur,
P.S.- Barh, District- Patna.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey

For the Opposite Party/s : Mr. Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-09-2022 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 420,
467, 468, 471, 34 of the Indian Penal Code and Section 3/4 of
the Bihar Examination Act.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant
alleges that on 08.02.2019, he was deputed as an observer in
RPF Online Exam Centre near CDS Building Patna. It is next
alleged that during examination in Batch-02, one fake examinee
was found, who disclosed his name Surendra Kumar. It is next
alleged that on further inquiry, he confessed that he has
participated on behalf of his brother i.e. the petitioner.



The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. It is next submitted that admittedly, the F.I.R. has been instituted after a delay of five days without any plausible explanation. It is also submitted that brother of the petitioner had visited the centre to inquire about the examination, but on suspicion, he came to be arrested. It is next submitted that petitioner is a student and his entire career would be jeopardized if he is sent to judicial custody.

Learned A.P.P. opposes the bail application and submits that case is of Year 2019 and there is no pleading in the anticipatory bail application that as to whether any process under Section 82 of the Cr.P.C. has been issued or not.

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, 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 the learned Court below where the case is pending in connection with Gandhi Maidan P. S. Case No.81 of 2019, subject to the conditions laid down under Section 438(2)



of the Cr.P.C.

The application stands allowed.

However, the learned trial Court before accepting the bail bonds shall verify whether any process under Section 82 of the Cr.P.C. has been issued or not and in the event, if it is found that process under Section 82 of the Cr.P.C. has been issued, the present anticipatory bail application order shall not be given effect.

(Satyavrat Verma, J)

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