

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36383 of 2021**

Arising Out of PS. Case No.-51 Year-2021 Thana- INDUSTRIAL District- Bhagalpur

SAGAR KUMAR Son of Umesh Mandal @ Umesh Kumar Resident of Village - Puraniganj, Munger, P.S.- Quashim Bazar, District - Munger, At present resident of Yadav Lodge, Tatarpur, P.S.- Tatarpur, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Adv.

For the Opposite Party/s : Mr.APP.

**CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER**

5 10-05-2022 The applicant/accused in Crime No. 51 of 2021 registered with Industrial Police Station for the offences punishable under Sections 419, 420, 467, 468, 34 of the Indian Penal Code as well as Section 10 of Bihar Conduct of Examination Act, 1981, by this application is seeking his release on bail during pendency of the trial.

Heard both sides.

The FIR of the subject crime is lodged by Manish Kumar Sinha, head of the examination centre for examination regarding recruitment to the post of Junior Engineer conducted by the Staff Selection Commission. It is reported by the first informant that during the course of examination it was found that accused Dinkar Kumar was impersonating a candidate



name Nandan Kumar and was attempting to give the examination. The first informant further averred that some other persons are also found to be involved in this scandal. Name of the applicant surfaced on record to that extent.

The investigation of the subject crime is over. Role of the applicant is mentioned in the FIR and it is to the effect that being Junior Manager of the Centre the applicant is also involved in this scam of impersonating the candidates.

As the investigation of the subject crime is over and as it is reported that the impersonator so also the candidate are already released on bail by the Co-ordinate Bench of this Court, further pre-trial detention of the applicant is not warranted and therefore the order :-

- i. The application is allowed.
- ii. The applicant/accused in Crime No. 51 of 2021 registered with Industrial Police Station for the offences punishable under Sections 419, 420, 467, 468, 34 of the Indian Penal Code as well as Section 10 of Bihar Conduct of Examination Act, 1981, be released on bail on executing P.R. bond of Rs.10,000/- (Rupees Ten Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions: -



(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial court in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

shahzad/-

U		T	
---	--	---	--

