

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34651 of 2022

Arising Out of PS. Case No.-42 Year-2016 Thana- ARWAL District- Jehanabad

Banti Kumar Son of Rameshwar Singh R/o Village- Sahwajpur, P.S.-
Sakurabad, District- Jehanabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nand Kishore Son Of Khedan Sharma R/O Village- Usari Dih, P.S.-
Mehadiya, District- Arwal At Present Ganesh Memorial Plus-2 School
Jaipur, Arwal (Officer In Charge)

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 38463 of 2022

Arising Out of PS. Case No.-42 Year-2016 Thana- ARWAL District- Jehanabad

Mukesh Kumar Son Of Ramanand Yadav R/O Village- Sahwajpur, P.S.-
Sakurabad, District- Jehanabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nand Kishore Son Of Khedan Sharma R/O Village- Usari Dih, P.S.-
Mehadiya, District- Arwal At Present Ganesh Memorial Plus 2 Shcool
Jaipur, Arwal (Officer In Charge)

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 34651 of 2022)

For the Petitioner/s : Mr. Deepak Kumar Singh, Advocate

For the Opposite Party/s : Mr. Lalan Kumar, APP

(In CRIMINAL MISCELLANEOUS No. 38463 of 2022)

For the Petitioner/s : Mr. Deepak Kumar Singh, Advocate

For the Opposite Party/s : Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-11-2022

CRIMINAL MISCELLANEOUS No.34651 of 2022

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 419 of the



Indian Penal Code read with Section 10 of the Bihar Conduct of Examination Act, 1981.

Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that on 04.03.2016 in the first sitting of Mathematics examination, one examinee was caught appearing in the examination as a fake candidate, it is next alleged that the examinee disclosed his name as Mukesh and further stated that he was appearing in the examination on behalf of the petitioner.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case, it is next submitted that no doubt the petitioner had applied for the said examination and had even received the admit card but then since he was not prepared fully for the examination, as such he chose not to appear in the examination and even his admit card was lost as such it appears that Mukesh taking advantage of the said fact appeared in the examination portraying himself as the petitioner, it is next submitted that petitioner had not appeared in the examination and thus was not aware under what circumstances Mukesh appeared on his behalf.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.



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, be released on anticipatory bail on furnishing bail bonds 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/successor court in connection with Arwal P.S. Case No. 42 of 2016 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

CRIMINAL MISCELLANEOUS No. 38463 of 2022

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 419 of the Indian Penal Code read with Section 10 of the Bihar Conduct of Examination Act, 1981.

Learned counsel for the petitioner submits that petitioner is a young boy of 24 years of age and is a person with clean antecedent and had gone to the centre, which was in a school, for verifying as to whether fresh admission is being taken in Class VIII or not for his nephew but there he was apprehended and it was alleged that he was appearing as a fake



candidate.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

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, be released on anticipatory bail on furnishing bail bonds 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/successor court in connection with Arwal P.S. Case No. 42 of 2016 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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