

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44212 of 2022

Arising Out of PS. Case No.-241 Year-2022 Thana- KOTWALI District- Munger

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Sudhanshu Kumar S/o Late Sunil Kumar Yadav Resident of Sitakund,
Dariyapur, P.S.- Mufassil, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md Fazle Karim, Advocate
For the State : Mr. Rajendra Prasad Nat, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 07-12-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Kotwali
(Purabsarai) P.S. Case No. 241 of 2022 registered for the
offence under Sections 419, 420, 467, 468 and 120(B) of the
Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 01.06.2022.

The allegation against the petitioner is to commit
cheating by way of impersonation, as to permit someone else to



appear in physical test of Home Guard Physical Eligibility Test.

Learned counsel appearing on behalf of the petitioner submitted that petitioner is an innocent person and implicated falsely in the present case. It is submitted that petitioner was present at the centre and as for a short period of time, when he was outside the field to attend nature's call, in the meantime, the occurrence took place and it was alleged that physical test was attended by someone else, who is not connected, in any manner, with this petitioner. It is also submitted that when the petitioner returned to the field after attending nature's call, a hot exchange was shared with security personnel and consequent upon, petitioner was implicated falsely in the present case. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State opposes the prayer of bail.

In view of the facts and circumstances, as mentioned above, as petitioner is in custody since 01.06.2022 coupled with the fact that chargesheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection



with Kotwali (Purabsarai) P.S. Case No. 241 of 2022 on
furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with
two sureties of the like amount each to the satisfaction of
learned Chief Judicial Magistrate, Munger/concerned Court,
subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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