

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.60929 of 2022**

Arising Out of PS. Case No.-27 Year-2021 Thana- PANDAUL District- Madhubani

VIJAY KUMAR PASWAN S/o Ramvilash Paswan R/v- Jaipatti, P.S.-  
Ghoghardiha, District-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                                                               |
|--------------------------|---|-------------------------------------------------------------------------------|
| For the Petitioner/s     | : | Mr. Ravi Prakash, Adv.<br>Mr. Gagan Deo Yadav, Adv.<br>Mr. Rajesh Kumar, Adv. |
| For the Opposite Party/s | : | Mr. Md. Iftekhar Mahmood, APP                                                 |

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      19-12-2022                      Heard learned counsel for the petitioner and the  
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offence under Sections 188, 420/34 of the Indian Penal Code and Section 10 of the Bihar Conduct of Examination Act.

According to the prosecution, one Pankaj Kumar Paswan has been found impersonating the petitioner in the examination of Annual Matric Examination.

Learned counsel appearing for the petitioner submits that the petitioner, who is of clean antecedent, is innocent and has falsely been implicated in this case. He further submits that according to the allegation, co-accused,



Pankaj Kumar Paswan is found appearing in the examination on behalf of petitioner but the petitioner has no knowledge regarding the alleged occurrence. He further submits that he has no concern at all with the co-accused, who is said to have been found appearing in the examination on behalf of petitioner. He further submits that no cogent material has found during course of investigation against the petitioner. Hence, the petitioner may be granted the privilege of anticipatory bail.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner in the event of arrest of surrender before the court below within a period of four weeks from the date of order be released on bail on furnishing bail bond of Rs. 10,000/- (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 Pandaul P.S. Case No. 27 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C. as also with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall



be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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