

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30734 of 2023

Arising Out of PS. Case No.-373 Year-2015 Thana- BIHAR District- Nalanda

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MUKESH KUMAR S/O SUNIL PRASAD YADAV R/O Railway Gumti, P.O
and P.S- Bihar Sharif, Distt.- Nalanda (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Aklavya Chandan Kumar, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 14-07-2023 Heard the learned counsel for the
petitioner and learned APP for the State.

This is an application for grant of
anticipatory bail in connection with Bihar P.S. Case
No.373 of 2015, G.R. No.3270 of 2015, registered
for offences under Sections 419, 420, 467, 468 and
120B of the Indian Penal Code.

The allegation is regarding the accused
persons, having engaged in impersonation,
inasmuch as they had produced some fake
persons, at the time of physical examination,
pertaining to the selection process in question,



being conducted by the Home Defence Corps, Nalanda.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted that the petitioner has neither appeared in the physical examination, nor has succeeded in the selection process, hence, he is not having any complicity in the matter.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the categorical averment of the learned counsel for the petitioner to the effect that the petitioner has not been selected as a Home Guard, I deem it fit and proper to admit the petitioner to the privilege of



anticipatory bail.

Accordingly, the above named petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, 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, Nalanda in connection with Bihar P.S. Case No.373 of 2015, G.R. No.3270 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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