

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35937 of 2023

Arising Out of PS. Case No.-445 Year-2008 Thana- KADAMKUAN District- Patna

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PANKAJ KUMAR SINGH @ PANKAJ KUMAR, aged about 31 years, Male
S/O LATE BALESHWAR PRASAD SINGH R/O Village- Salalpur, P.O_
Amarpur, P.S- Medni Chowki, Distt.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Pranav, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Kadamkuan P.S. Case No. 445 of 2008 dated 21.12.2008,
instituted for the offence punishable under Sections 420 and
120(B) of the Indian Penal Code.

3. The allegation against the petitioner is that the
petitioner had been appearing in the Railway Group-D
examination in place of some other person.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that this case has come to the
knowledge of the petitioner after its intimation by police to the
petitioner in the year 2020 during the period of Covid-19
Pandemic i.e. after 12 years of the occurrence. It is also



submitted that there is no evidence of alleged offence under Sections 420 and 120(B) of the Indian Penal Code against the petitioner. Only on the basis of suspicion he has been implicated in this case. The petitioner is of young age of 31 years and his arrest will put a break on his career. It is stated that there can be no tempering with the evidence as F.I.R. was lodged 12 years ago. Lastly, it has been submitted that he has no criminal antecedents.

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

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest/surrender of the petitioner in connection with Kadamkuan P.S. Case No. 445 of 2008, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Judge-XII-cum- A.C.J.M., Patna, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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