

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33382 of 2023

Arising Out of PS. Case No.-145 Year-2023 Thana- PHULWARISHARIF District- Patna

Akash Kumar Son Of Suresh Prasad Gupta Resident of Village- Bich Bazar,
PS- Harnaut District- Nalanda

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Shivjee Singh, Advocate
For the Opposite Party : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

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

2. The petitioner in the present case is seeking pre-arrest bail in connection with Phulwari P.S. Case No. 145 of 2023 registered for the offences punishable under Sections 419, 420/34 of the Indian Penal Code. He has got no criminal antecedent.

3. Learned counsel for the petitioner submits that as per the prosecution story on 21.12.2022, the petitioner came at AIIMS, Patna for joining and at the time of joining, his finger print did not match with the earlier finger print which was given by him at the time of examination.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is a student having no



criminal antecedent.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the submission that the petitioner is a student of Bachelor of Arts and he has been made accused in this case on mere suspicion that his finger print does not tally with the earlier finger print which was given by him at the time of examination, in the nature of the allegation and considering that the petitioner is a student having no criminal antecedent, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named be released on bail in connection with Phulwari Sharif P.S. Case No. 145 of 2023 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XIV, Patna subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. 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.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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