

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61135 of 2023

Arising Out of PS. Case No.-464 Year-2023 Thana- BIHAR District- Nalanda

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ABHISHEK KUMAR SON OF SRI JANKI PANDIT RESIDENT OF
VILLAGE - CHORSUA, P.S. - GIRIYAK, DISTRICT - NALANDA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 15-12-2023 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Bihar P.S. Case No. 464 of 2023, G.R. No. 2650 of 2023 for the offence registered under sections 419, 420, 467, 468, 469 and 471 of the Indian Penal Code lodged on 21.05.2023 by the informant, Nitesh Kumar.

3. As per the prosecution story, the Child Protection Officer who is the informant alleged that Bihar School Examination Board conducted a bar-coding work for Annual Matriculation Examination, 2023 in Sogra High School, Biharsharif. However, it was found that there has been made some manipulation in the filing slip and award sheet during the bar-coding to favour some of the examinee, the petitioner



(Abhishek Kumar) being one of them.

4. Learned Counsel for the petitioner submits that neither he had intention to do so nor it was a deliberate act rather in confusion, the pasting was done. Further, he do not have criminal antecedent.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail stating that from the allegation, it is clear that it was a deliberate act.

6. Considering the aforesaid submissions put forward by the parties as also that FIR is being lodged ultimately he will be facing the trial, he do not have criminal antecedent and he is a young person, this Court is inclined to extend him privilege of anticipatory bail.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court of Chief Judicial Magistrate, Bihar Sharif at Nalanda in connection with Bihar P.S. Case No. 464 of 2023, G.R. No. 2650 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of



the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

8. With the aforesaid observations, the anticipatory bail application stands allowed.

(Rajiv Roy, J)

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