

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.913 of 2023

Arising Out of PS. Case No.-126 Year-2022 Thana- INDUSTRIAL District- Bhagalpur

SHYAM SON OF RANJAN KUMAR R/O MOHALLA- ITHARI, P.S.-
NAYA RAM NAGAR, DISTRICT- MUNGER

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajiv Nayan

For the Opposite Party/s : Mr. Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-05-2023 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 419, 420, 467 & 468 of the Indian Penal Code and Section 10 of the Bihar Examination Conduct Act.

The allegation against the petitioner is that in his place one Rahul Kumar has appeared in the examination and the same has been confessed by the said Rahul Kumar.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case by the Rahul Kumar due to previous enmity. The allegation levelled against the petitioner is not specific rather general and omnibus in nature.



Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State vehemently opposing the bail petition submitted that this is a clear case of impersonation in examination hall and these type of persons are destroying the career of the meritorious students, hence the petitioner does not deserve bail.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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