

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8003 of 2024

Arising Out of PS. Case No.-309 Year-2023 Thana- CHAKIA District- East Champaran

Vikash Chandra Yadav S/o Ram Prasad Yadav R/o Vill - Rajghat Bijua, P.S. -
Srinagar, Dist. - West Champaran, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Harshvardhan, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 23-02-2024 Heard Mr. Kumar Harshvardhan, learned counsel for
the petitioner and Mr. Satya Nand Shukla, learned APP for the
State.

2. The petitioner apprehends his arrest in connection
with Chakia P.S. Case No. 309 of 2023 registered for the
offences punishable under Sections 419, 420, 468 and 120B of
the Indian Penal Code and Section 10 of the Bihar Examination
Conduct Act, 1981.

3. The allegation against the petitioner is that in
course of Teachers Recruitment Examination-2023, conducted
by the Bihar Public Service Commission, the bio-metrics and
the credentials of the petitioner found mismatch, leading to the
institution of the present FIR.

4. Learned counsel for the petitioner, submits that the



entire case is based on suspicion. The examination was held on 25.08.2023 from 10:00 AM to 12:00 PM, but in the crucial circumstances, the attendance list was prepared at 02:50 PM and after preparation of the attendance list, the name of the petitioner was shown by the concern police at 03:00 PM on 25.08.2023, which causes suspicion in the prosecution case. He next submits that one co-accused, namely, Rohit Kumar, who is having similar allegation has been allowed the privilege of anticipatory bail by a learned co-ordinate Bench of this Court in Cr. Misc. No. 72260 of 2023 vide order dated 09.11.2023, the copy of which has been marked as Annexure-2 to the bail application. He lastly submits that the petitioner is a student having fair antecedent and he undertakes that he will fully cooperate in the investigation.

5. On the other hand, learned counsel for the State, opposes the bail application and submits that serious allegation of impersonation has been levelled against the petitioner.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioner is a student having fair antecedent and his undertaking before this Court, coupled with the fact that similarly situated co-accused has been allowed the privilege of anticipatory bail,



let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M.F.C., Motihari, Bihar in connection with Chakia P.S. Case No. 309 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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