

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8000 of 2024

Arising Out of PS. Case No.-684 Year-2019 Thana- SUPAUL District- Supaul

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Anirudh Kumar, S/O- Rajendra Yadav @ Rajendra Pd. Yadav, R/O- Village- Singiawan (Ward No.- 2), P.S.- Kishanpur, Dist.- Supaul.

... .. Petitioner/s

Versus

The State Of Bihar, Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Jha, Advocate

For the Opposite Party/s : Mr. Abhay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 23-02-2024 Heard Mr. Arun Kumar Jha, learned counsel appearing on behalf of the petitioner and Mr. Abhay Kumar, learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Supaul P.S. Case No. 684 of 2019, registered for the offences punishable under Sections 419, 420 and 34 of the Indian Penal Code.

3. The allegation against the petitioner is of impersonation and allowing one Manish Kumar to appear in the Physical Examination of Home Guard in his place, who was caught red handed during the examination.

4. Learned counsel appearing on behalf of the petitioner submits that neither the petitioner has ever instructed the co-accused Manish Kumar nor anyone, to appear on his



behalf in the physical examination of Home Guard. He further submits that during the course of investigation the petitioner has also been allowed the benefit of Section 41A of the Code of Criminal Procedure, however after investigation the police has submitted charge-sheet and, as such, the necessity of the present application. Moreover, the co-accused Raj Kumar against whom there was identical allegation, he has been allowed the privilege of anticipatory bail in Criminal Miscellaneous No. 76110 of 2023 vide order dated 29.11.2023. He lastly submits that the petitioner is a student having fair antecedent and he undertakes that he will fully co-operate in the investigation.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submits that the material available on record shows the complicity of the petitioner.

6. Regard being had to the submissions made on behalf of the parties and considering the aforesaid facts that the petitioner is a student having fair antecedent and co-accused person having identical allegation has already been allowed the privilege of anticipatory bail, apart from his undertaking of cooperation, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below



within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate in connection with Supaul P.S. Case No. 684 of 2019, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

supratim/-

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