

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7448 of 2024

Arising Out of PS. Case No.-347 Year-2023 Thana- KISHANGANJ District- Kishanganj

Niranjan Kumar Son of Chandeshwri Prasad Resident of Village-
Raghunathpur Dakshin, Ward No.7, P.S.-Bhargama, Distt.-Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Viveka Nand Singh, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 17-02-2024 Heard Mr. Viveka Nand Singh, learned counsel for
the petitioner and the State.

2. The petitioner is apprehending his arrest in connection with Kishanganj P.S. Case No. 347 of 2023 for the offence under sections 419, 420, 467, 468, 471/34 of the I.P.C. and section 10 of Bihar Conduct of Examination Act, 1981 lodged on 25.08.2023 by the informant, Kumari Priyanka.

3. As per the prosecution story, during the teachers recruitment examination, one Ashish Anand was apprehended who was appearing on behalf of the petitioner having his admit card. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that though he was an applicant to the said exam, he misplaced his admit card and was unable to appear in the exam. He neither



handed over the admit card to Ashish Anand nor there was any occasion for him to appear on his behalf as he himself is a meritorious student. Lastly, he do not have criminal antecedent.

5. Learned APP opposes the prayer.

6. Taking into account the submissions put forward by the parties as also the fact that he is a young person, he do not have criminal antecedent, FIR lodged and will have to face the trail, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj, in connection with Kishanganj P.S. Case No. 347 of 2023 subject to the conditions 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/her 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 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;

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

(Rajiv Roy, J)

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