

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21095 of 2024

Arising Out of PS. Case No.-72 Year-2019 Thana- BAHADURPUR District- Patna

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ASHISH KUMAR SINGH SON OF SANJAY KUMAR SINGH @ SANJAY KUMAR @ SANJAY SINGH RESIDENT OF VILLAGE - AMER, POST - NAWANAGAR, POLICE STATION - BIDUPUR, DISTRICT - VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 15-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Bahadurpur P.S. Case No. 72 of 2019 dated 13.03.2019 instituted for the offence punishable under Sections 419 and 420 of the IPC.

3. As per prosecution case, this is a case of impersonation inasmuch as the friend of the petitioner, namely, Ajay Kumar appeared in the examination of SSC CPO at Ion Digital Zone, Sandapur on behalf of the petitioner by way of forging the Admit Card and changing the picture of petitioner by computer in order to hide his identity.

4. Learned counsel for the petitioner submits that petitioner



is innocent and he has been falsely implicated in this case. It is submitted that the informant, who is Centre Superintendent, has disclosed that during Admit card checking, one Ashish Kumar Singh having Roll No. 3206005249 whose photo was tallying with person who was appearing on his behalf was found different and further the person who was with said Admit card disclosed his name Ajay Kumar and he disclosed the name of petitioner and further he also confessed that he has appeared on his behalf who is his friend. Learned counsel further submits that the petitioner is neither the friend of the said accused, Ajay Kumar nor familiar to the petitioner. The petitioner has no knowledge as to how the co-accused had appeared on his behalf. As per FIR itself, it is evident that entire allegation is alleged against the co-accused who was found at the examination centre with forged Admit card, as such, no offence is made out either under Section 419 or 420 of the IPC. It is next submitted that the petitioner is an unemployed youth and is appearing for competitive examinations, he might be trapped by examination scammer and now he has been made accused, as such, petitioner is a real victim. Lastly, it has been submitted that the petitioner has got no criminal case against him.

5. Learned A.P.P. has opposed the prayer for anticipatory



bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Bahadurpur P.S. Case No. 72 of 2019, he will be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Patnacity, Patna/the court concerned, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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