

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20585 of 2024

Arising Out of PS. Case No.-29 Year-2024 Thana- UDWANTNAGAR District- Bhojpur

Kafil Ahmed @ Kafil Ahmad @ Kaafil Ahmed S/O Bhola Khan R/O Village/Mohalla- Bikramganj Chowk (Vikramganj), P.S- Bikramganj, Distt.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 02-04-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Udwant Nagar P.S. Case No. 29 of 2024, registered on 21.01.2024 for the offences under Sections 419, 420/34 of the Indian Penal Code and Section 10 of the Bihar Conduct of Examinations Act, 1981.

3. As per prosecution case, co-accused Raushan Kumar appeared in place of the petitioner for writing the CTET examination and the co-accused was apprehended after comparing bio-metric details.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He has no involvement in the matter. The petitioner was not apprehended from the spot and his name transpired in the confessional statement of co-accused Raushan Kumar and, in fact, the petitioner does not know the co-accused. Due to some unavoidable circumstance the petitioner could not attend the examination and hence, no offence under Sections 419 and 420 of the Indian Penal Code is made out against the petitioner. The co-accused under some conspiracy named this petitioner and there is no substantive material against the petitioner. Learned counsel further submits that the petitioner is sole bread earner of his family and is having no criminal antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the involvement of the petitioner is writ large on the face of the record. The petitioner got the co-accused to appear on his behalf in examination of CTET.

6. Having considered the rival submissions and further considering the nature of allegation against the petitioner which appears to be serious and further considering prevalence of such acts which ruin the career of meritorious candidates, I



am not inclined to grant anticipatory bail to the petitioner and
hence, his prayer for anticipatory bail is rejected.

(Arun Kumar Jha, J)

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