

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52799 of 2024

Arising Out of PS. Case No.-812 Year-2023 Thana- BANKA District- Banka

Shreekant Kumar @ Shrikant Kumar, Son of Swaroop Lal Mandal, R/o
Village- Jhapra Das Tola, P.S.- Naugachia, Dist- Bhagalpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Brij Nandan Prasad, Adv.
For the State	:	Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 29-08-2024 Heard Mr. Brij Nandan Prasad, learned counsel for

the petitioner and Mr. Shailendra Kumar, learned APP for the

State.

2. The petitioner apprehends his arrest in connection with Banka P.S. Case No. 812 of 2023 dated 09.12.2023 registered for the offences punishable under Sections 419 and 420 of the Indian Penal Code and Sections 4 and 10 of the Bihar Control of Examination Act, 1981.

3. Learned counsel appearing for the petitioner submits that the petitioner has been falsely implicated in the present case due to dirty village politics, in fact, he was the real examinee of the competitive examination and the co-accused,



namely, Suman Kumar appeared in the said examination in place of this petitioner and for the said act of the co-accused, the petitioner can not be held responsible, in fact, he had no involvement in the alleged crime. Learned counsel further submits that the co-accused Suman Kumar, who was responsible for impersonation, has been granted bail by the trial court itself and the petitioner has fair and clean antecedent.

4. Learned APP for the State has opposed the prayer for bail of the petitioner.

5. Heard both the sides and perused the FIR and the order impugned. Though, the nature of allegation appearing against this petitioner is some serious but considering his fair and clean antecedent and also the fact that as per above submission, the co-accused, Suman Kumar, who appeared in the competitive examination in place of this petitioner, has been granted bail by the trial court itself, in my opinion, the petitioner deserves a lenient approach of this Court. Accordingly, let the petitioner named-above, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court



concerned in connection with Banka P.S. Case No. 812 of 2023,
subject to the conditions as laid down under Section 438(2) of
the Cr.P.C.

(Shailendra Singh, J)

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