

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51358 of 2024

Arising Out of PS. Case No.-304 Year-2021 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Dharamveer Kumar @ Dharmveer Kumar Son of Shiwalak Prasad R/O Vill.-
Gordhowa Tungi Hall, P.o.- Tungi, P.s.- Deepnagar, Dist.- Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandrakishore Kumar, Adv.

For the Opposite Party/s : Mr.Uday Chand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 21-08-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in a case registered for the offences punishable in connection with Muzaffarpur Sadar P.S. Case No.304 of 2021 under Sections 419, 420 and 34 of the Indian Penal Code read with section 10 of the Bihar Examination Control Act.

3. As per the prosecution, the FIR has been lodged against two named accused persons including the petitioner with allegation that one accused, namely, Vijay Kumar has appeared in the examination for the petitioner and recovery of Adhar Card, registration number and roll number have been made which transpires from the seizure list.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that the petitioner has not been apprehended from the place of



occurrence. Counsel further submits that the accused person who was apprehended from the place of occurrence, has been granted anticipatory bail.

5. Counsel also submits that antecedent of the petitioner is clean and he is an student and his career is at stay.

6. Learned APP for the State opposes the prayer for bail and submits that the petitioner who was instigator of the interpolation, has arranged a person to sit for him in the examination.

7. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner, therefore the bail application of the petitioner is hereby rejected.

8. However, trial court is directed to consider the regular bail application of the petitioner, if he surrenders within 6 (six) weeks from today and prays for regular bail, then trial court shall pass order without being prejudice of the present order preferably on the same day.

(Dr. Anshuman, J.)

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