

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61776 of 2024

Arising Out of PS. Case No.-360 Year-2024 Thana- LAHERIYASARAI District- Darbhanga

Shashikant Bharti S/o- Yogdhar Prasad Village- Laxmipur P.S.-Laukahi
District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Arvind Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 04-09-2024 Heard the learned Advocate for the petitioner and the
learned APP for the State.

2. The petitioner seeks regular bail, who is in custody in connection with Laheriasarai P.S. Case No. 360 of 2024, registered for the offence punishable under Sections 319(2), 318(2), 338, 336(3), 340(2) and 3(5) of the Bharatiya Nyaya Sanhita and under Section 10 of the Bihar Conduct of Examination Act, 1981.

3. The allegation against the petitioner is of impersonation. It is alleged that the petitioner was caught red handed while he was appearing in CTET-2024 Examination in place of his friend *Shambhu Kumar Yadav*.

4. Learned Advocate for the petitioner contended that in fact on the alleged date of occurrence, he was present at the



center along with candidate. However, only on account of suspicion, he was apprehended by the police. It is next contended that the petitioner is doing M.Sc. in C.M. Science College, Darbhanga. Keeping the petitioner behind the bar would serve no purpose, as the same will ruin the career of the petitioner. It is further contended that petitioner bears fair antecedent and he undertakes that he will fully co-operate in the investigation or in the proceeding of the Court.

5. On the other hand, learned APP for the State vehemently opposes the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioner is a student and now he has been incarcerated in judicial custody since 08.07.2024, having fair antecedent, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 5,000/- (Rupees five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with Laheriasarai P.S. Case No. 360 of 2024, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the



trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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