

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65011 of 2024

Arising Out of PS. Case No.-530 Year-2024 Thana- AURANGABAD TOWN District-
Aurangabad

Abhishek Kumar Singh Son of Krishna Singh R/O Vill.- Bhadan, P.O.- Utali
Bara, P.S.- Tankupa, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar, Advocate
For the Opposite Party/s : Mr.Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 01-10-2024 Heard the parties.

2. The petitioner is apprehending arrest in connection with Aurangabad Town P.S. Case No. 530 of 2024 instituted under Sections 318(4), 3 (5) of BNS Act and 10 of the Bihar Examination Act lodged on 20.07.2024 by the informant, Manoj Kumar Sharma.

3. As per the prosecution story, the informant alleged that in the Competitive Exam of Teacher Recruitment, one Bikash Kumar Singh was appearing in place of this petitioner and accordingly, the FIR.

4. Learned counsel for the petitioner submits that he got his admit card misplaced and as such could not appear in the exam, little realizing that someone has appeared on his behalf.



Further, the statement made by the person who was arrested cannot be relied upon. Last submission is that he will be diligently appearing in trial.

5. Learned APP opposes the prayer submitting that Bikash Kumar Singh was apprehended and the admit card was also seized.

6. Taking into account the aforesaid facts that the petitioner is appearing in the competitive exam, do not have criminal antecedent, FIR is there, he will be facing the trial, putting him in jail will serve no purpose, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Aurangabad Town P.S. Case No. 530 of 2024 to the satisfaction of learned Chief Judicial Magistrate, Aurangabad subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official



document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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