

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72674 of 2024

Arising Out of PS. Case No.-139 Year-2024 Thana- MITHANPURA District- Muzaffarpur

Raj Pandey S/o Rajesh Prasad Pandey Resident of 72, Mukta Vihar, P.S. -
Naini, District- Allahabad, Prayagraj, Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rama Kant Sharma, Sr. Adv.
Mr.Vishwajeet Kumar Mishra, Adv.
For the Opposite Party/s : Mrs.Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-10-2024 Heard the parties.

2. Petitioner apprehends his arrest in a case registered for the offence punishable u/s 420, 467, 468, 120B, 471 of the IPC and section 10 of the Bihar Conduct of Examination Act, 1981.

3. As per the prosecution case, the allegation against the petitioner is that on his admit card, in place of the petitioner, one Hudama Ram was appearing in the examination of NEET.

4. It is submitted by learned Senior Counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case due to ulterior motive. No such occurrence, in the manner as alleged, has ever taken place. It is submitted that the allegation against the petitioner is false and fabricated. The Headmaster has not



lodged the F.I.R. against the petitioner and the boy who appeared in place of the petitioner was not apprehended. There is no iota of evidence to connect the petitioner with the alleged occurrence. It is further submitted that on a mere reading of the F.I.R., it is evident that the Centre Superintendent cum Headmaster has deliberately refused to lodge the F.I.R. and has left the student who was found impersonating without any action. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Mithanpura P.S. Case No.139 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, as also the following condition:

(1) The petitioner shall remain physically present in the court on each and every date during trial and in the event of



failure on two consecutive dates without sufficient reasons, his
bail bonds shall be liable to be cancelled by the learned court
concerned.

(Anjani Kumar Sharan, J)

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