

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71888 of 2023

Arising Out of PS. Case No.-368 Year-2022 Thana- KOTWALI District- Munger

Deepak Kumar S/O Vinod Yadav R/O Village- Karari Tola, Taufir, Ps.
Muffasil, Dist. Munger

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudal Prasad, Advocate

For the Opposite Party/s : Mr. Md. Mushtaque Alam, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 08-01-2024 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any,
within a period of three weeks from today.

2. Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in
connection with Kotwali P.S Case No. 368 of 2022 dated
05.08.2022 registered for the offence punishable u/s 419,
420, 379 read with 34 of the Indian Penal Code.

4. As per the prosecution case, the informant Dr.
Suraj Konar was the Invigilator in T.E. Exam of IGNOU.
As the examination started, he went to check the signature



of the examinee and when he checked Samresh Kumar, Roll No. 2108268424 and matched his signature from I-card, found that the same not matching. Even the photograph did not match despite that Samresh Kumar was posing himself as a real examinee. Later on, as he went to the Center Superintendent for informant, the examinee deleted his signature and fled away.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. It is further submitted that the petitioner is not named in the F.I.R. Learned counsel has further submitted that the after several days of lodging the F.I.R. of the case, during the course of investigation merely on suspicion police has added the name of the petitioner. It is further submitted that till the date of filing of this anticipatory bail petition no cogent material has been found against the petitioner. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and



circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Munger in connection with Kotwali P.S Case No. 368 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Nilmani/-

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