

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.78398 of 2024**

Arising Out of PS. Case No.-79 Year-2013 Thana- LAKHISARAI District- Lakhisarai

Sanjeet Kumar S/o Damodar Das R/o Village- Khawa Chai Tola, P.S.-  
Mednichowki, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Parmanand Pd. Nr. Sahi, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

- 2      04-12-2024      1.                      Heard learned Counsel for the petitioner and  
learned APP for the State.
2.                      This application, for grant of anticipatory bail,  
arises out of Lakhisarai PS case no. 79 of 2013, disclosing  
offences punishable under Section 420 and other allied sections  
of the Indian Penal Code.
3.                      The prosecution story, as per the First Information  
Report, is that the petitioner being an examinee of Annual  
Secondary Examination, 2013, did not appear in the  
examination and instead of petitioner, co-accused Vishal Kumar  
appeared in the examination but was apprehended during the  
course of examination.
4.                      Learned Counsel for the petitioner submits that the  
petitioner was given advantage of Section 41-A Cr.P.C. by the



Police during course of investigation and in pursuance thereof, the petitioner appeared before the Investigating Officer and co-operate in the investigation. The Police, after investigation, submitted charge-sheet against the petitioner and impostor the said co-accused Vishal Kumar and the learned Magistrate has taken cognizance for the offence punishable under Sections 419, 420, 467, 468, 471 of the Indian Penal Code on 15.01.2024. Learned counsel further submits that petitioner did not get the summon and now, warrant has been issued on 20.07.2024 and the petitioner has the apprehension that he may be taken into custody. The charges against the petitioner is based on documentary evidence and there is no likelihood of the petitioner tampering with the evidence. He also submits that the petitioner undertake to co-operate during the course of trial.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner was given advantage of Section 41-A Cr.P.C. during the course of investigation and he has given an undertaking to co-operate in the trial. I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his



arrest or surrender before the Court below within three weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1<sup>st</sup> class, Lakhisarai in connection with Lakhisarai PS case no. 79 of 2013, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

rinkee/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

