

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83759 of 2024

Arising Out of PS. Case No.-421 Year-2024 Thana- KHAGARIA District- Khagaria

Manish Kumar Son of Gopali Mandal Village- Shahbad, ward no. 22, P.S.-
Sultanganj, Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-12-2024 Heard Mr. Ranjeet Kumar Singh, learned counsel
for the petitioner and the State.

2. The petitioner is in judicial custody in connection with Khagaria P.S. Case No. 421 of 2024 for the offences punishable under Sections 319(2), 318(4), 338, 336(3), 340(2), 3(5), 61(2) of BNS and Section 10 of Bihar Conduct Exam Act, lodged on 21.08.2024 by the informant, Priya Ranjan Kumar.

3. As per the prosecution story, the informant alleged that during Constable Recruitment Examination 2024, at Babu Madhya Vidyalaya, it came to notice that one Ritu Raj is appearing on behalf of this petitioner, whereafter, the FIR/arrest.

4. Learned counsel for the petitioner submits that though he had made an application, never appeared, admit-card has been misused, is a student having no criminal antecedent but is in custody since 22.08.2024 (para-4 of the petition).



5. Learned APP opposes the prayer submitting that Ritu Raj was appearing on his behalf.

6. Considering the aforesaid facts/submission as also the fact that petitioner is a student, FIR is lodged, will face the music, has remained in custody since 22.08.2024 having no criminal antecedent, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with aforesaid P.S. Case subject to the following conditions:

(i) one of the bailors should be the family member/relative of the petitioner who shall provide official document to show his 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 month for next six months to mark his attendance;



(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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