

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11180 of 2025

Arising Out of PS. Case No.-529 Year-2024 Thana- AURANGABAD TOWN District-
Aurangabad

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Bhushan Kumar S/O- Jageshwar Prasad R/O Village- Amaithi, P.S.-Wajirganj,
District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs.Mukul Kumari, Advocate
For the Opposite Party/s : Mr.Ajay Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 12-05-2025 Heard the parties.

2. The petitioner is apprehending arrest in connection with Aurangabad Town P.S. Case No. 529 of 2024 instituted under Sections 318(4), 3(5) of the B.N.S. of 2023 respectively under section 420/34 of the Indian Penal Code lodged on 20.07.2024 by the informant, Usha Kumari.

3. As per the prosecution story, the informant alleged that while conducting the Teacher Recruitment Examinations (TRE-03) in the first sitting at Kishori Sinha Girls High School, Aurangabad. It was found that one Dimpu Kumar impersonating as Bhushan Kumar (petitioner) was appearing in the examination. Accordingly, the FIR/arrest.

4. Learned counsel for the petitioner submits that



though he was an examinee to the said examination, did not went to the center, has no knowledge how his document was procured by Dimpu Kumar. He has absolutely no criminal antecedent and is ready to face the trial.

5. Learned APP opposes the prayer submitting that if Dimpu Kumar would have qualified in the examination, it would have benefited the petitioner.

6. Though allegation is there and it is unfortunate that thinking himself to be incompetent, he still wants a job, in the process, as per the allegation, hired someone who is more talented. Now that person stands implicated, if the FIR is to be believed. However, since the petitioner has no criminal antecedent and is ready to face the trial, this Court is inclined to extend him the privilege of anticipatory bail.

6. 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. 529 of 2024 to the satisfaction of learned C.J.M., 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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