

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14236 of 2025

Arising Out of PS. Case No.-9 Year-2025 Thana- GARDANIBAG District- Patna

Abhiraj Kumar S/o- Sri Sanjay Singh Ward No. 12, Village - Mangrpa, P.O. -
Gonai, P.S.- Asarganj, District - Munger, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harendra Kumar Tiwari, Adv.

For the Opposite Party/s : Mr. Mina Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 16-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seek bail in a case instituted for the offences under Sections 318(4), 338, 336(3), 340(2) and 112(2) of B.N.S. and Sections 10 and 11 of the Bihar Public Examinations (Prevention and Unfair Means) Act, 2024.

3. As per the prosecution case, the Central Selection Board examination have been conducted for appointment to the post of constable and the petitioner was apprehended using forged identity in place of Rahul Kumar Das during the physical examination. It has been alleged in the FIR that the petitioner was found to be committing fraud through impersonation in order to get a job for Rahul Kumar Das and was apprehended.

4. Learned counsel for the petitioner submits that the petitioner is innocent and was not involved in the said fraud as stated



in FIR. It has further been stated that the petitioner himself is a young man and has his carrier ahead and, even from the perusal of the photographs and other biometrics details the allegation of appearing as a scholar in written examination is also negated from the fact that the writing and signature of the petitioner did not match from the writing and signature of the candidate. It has next been submitted that there is no other incriminating material recovered from the possession of the petitioner or from the other co-accused persons which would connect the petitioner with the present case. It has lastly been submitted that the petitioner has clean antecedent and is in custody since 05.01.2025.

5. Learned APP for the State vehemently opposed the prayer of bail and has stated that the sanctity of such examination has been jeopardized by the conduct of the accused persons including the petitioner.

6. Considering the aforesaid submissions and taking into account the period of custody, let the petitioner, above named, be enlarged on bail, upon furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/concerned court, in connection with Gardanibagh P.S. Case No. 09 of 2025 subject to the following conditions:

a. One of the bailor of the petitioner shall be his close relative.



b. The petitioner will remain physically present in Court on each date of the trial.

c. In case of absence on two consecutive dates, or in violation of the terms of the bail and if the prosecution is found involvement of the petitioner in similar nature of offence, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

d. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step of cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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