

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17957 of 2025

Arising Out of PS. Case No.-536 Year-2024 Thana- AURANGABAD TOWN District-
Aurangabad

Navin Kumar Son of Ramswarup Prasad Yadav @ Ramswarup Yadav
Resident of Bhare Tola, Bakri Dhubba, Police Station - Fatehpur, District-
Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niraj Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-04-2025 Heard Mr. Niraj Kumar Singh, learned counsel for
the petitioner and Mr. Mithilesh Kumar Khare, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Aurangabad Town P.S. Case No. 536 of 2024,
F.I.R. dated 21.07.2024 for the offences punishable under
Sections 318(4) and 3(5) of Bharatiya Nyaya Sanhita and
Section 10 of the Bihar Conduct of Examination Act.

3. According to prosecution case, the co-accused,
namely, Chandan Kumar was found writing the competitive
examination of Bihar Public Service Commission (B.P.S.C.) in
the place of the petitioner.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been



implicated in the present case. Although, there is specific allegation against the petitioner alleged in the F.I.R. that in the place of the petitioner one Chandan Kumar participated in the Bihar Public Service Commission (B.P.S.C.) exam. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. In fact, the petitioner has not participated in the examination in question conducted by the B.P.S.C. and no cogent material has come during the investigation, which suggests the involvement of the petitioner in the present occurrence.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts that the petitioner has clean antecedent and except suspicion no other material has come during the investigation, which suggests the involvement of the petitioner in the present occurrence, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 the learned Chief Judicial Magistrate, Aurangabad in connection with Aurangabad Town P.S. Case No.



536 of 2024,, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 2023 and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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 for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Jyoti Kumari/-

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