

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31170 of 2025

Arising Out of PS. Case No.-72 Year-2025 Thana- GARDANIBAG District- Patna

Nitish Kumar Son of Uday Yadav Resident Of Village- Medinipur Barhiya,
P.S. -Kurtha, Dist- Arwal Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate
Mr. Nishant Kumar, Advocate
Mr. Saurabh Raj, Advocate
For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 20-05-2025 Heard learned counsel for the petitioner and Mr. Parmeshwar Mehta, learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 318(4), 338, 336(3), 340(2) & 112(2) of the BNS and under Section 10/11 of the Bihar Conduct of Examination Act.

3. The case of the prosecution is that on the alleged date of occurrence, the informant was deputed in the Central Selection Board (Constable) Recruitment and on the same day physical verification was going on. In the course of biometric verification it was found that the signature and photograph of the petitioner mismatched from the person who had appeared in the examination in his place. It is further alleged that the upon enquiry, petitioner has confessed that he has conspired with one Rajesh Ram and Bipin Singh.



4. Learned counsel for the petitioner submits that at most it is a case of impersonation or the violation of Section 10 of Bihar Conduct of Examination Act. It has also been submitted by the learned counsel that similarly situated accused persons have been granted bail by the learned Co-ordinate Bench vide Cr. Misc. Case Nos. 28895 of 2025 and 24423 of 2025. The case of this petitioner stands on similar footing. The petitioner is having no criminal antecedent. The petitioner is in custody since 29.01.2025.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Gardanibagh P.S. Case No. 72 of 2025 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District & Additional Session Judge-III, Patna.

(Ashok Kumar Pandey, J)

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