

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87125 of 2024

Arising Out of PS. Case No.-212 Year-2024 Thana- MITHANPURA District- Muzaffarpur

Abhishek Kumar @ Abhishek Kr. Son of Shiv Shankar Rai Resident of
Village - Saidpur Rajauli, P.S. and District - Vaishali (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Ajit Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 17-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Mithanpura P.S. Case No. 212 of 2024 registered for the alleged offences under Section 318(4), 338, 336(3), 340(2), 61(1) of the Bharatiya Nyaya Sanhita and Section 10 of Bihar Conduct of Examination Act, 1981.

03. As per prosecution case, co-accused Rajeev Kumar was found appearing in B.P.S.C. TRE-3.0 examination in place of the petitioner. The admit card and Aadhaar card of the petitioner was found with the impostor who was appearing on behalf of the petitioner.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case

and he has not committed any offence. The petitioner has not engaged the co-accused for appearing on his behalf and petitioner has no knowledge how the co-accused came to appear on the behalf of the petitioner. The copy of Aadhaar card and the admit card are scanned copies and are not original and petitioner has no knowledge how the co-accused came in possession of these documents. Petitioner is student of D. Pharmacy and is having clean antecedent.

05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioner. Learned A.P.P. submits that the co-accused appeared in place of the petitioner for writing the exam conducted by B.P.S.C. and he would have been the direct beneficiary in case this forgery was not detected.

06. Having regard to the nature of allegation, I do not think it is a fit case for grant of anticipatory bail.

07. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Arun Kumar Jha, J)

Anuradha/-

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