

Arising Out of PS. Case No.-421 Year-2024 Thana- KHAGARIA District- Khagaria

... Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raja Ram Rai, Adv.

For the Opposite Party/s : Mrs.Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 21-02-2025 Heard the parties.

2. The petitioner is in judicial custody in connection with Khagaria P.S. Case No. 421 of 2024 for the offences punishable under Sections 319(2), 318(4), 338, 336(3), 340(2), 3(5), 61(2) of BNS and Section 10 of Bihar Conduct Exam Act, lodged on 21.08.2024 by the informant, Priya Ranjan Kumar.

3. As per the prosecution story, the informant alleged that during Constable Recruitment Examination 2024, at Bapu Madhya Vidyalaya, it came to notice that the petitioner appeared on behalf of one Manish Kumar, whereafter, the FIR/arrest.

4. Learned counsel for the petitioner submits that under misconception/confusion he was taken into custody, is a student aged 26 years, already FIR lodged and he has remained in custody since 22.08.2024 (para-4 of the petition). If granted bail, shall be diligently appearing in the trial. His last



submission is that one of the co-accused, namely, Manish Kumar has already been granted relief in Cr. Misc. No. 83759 of 2024.

5. Learned APP opposes the prayer submitting that he was appearing as a proxy to one Manish Kumar.

6. Though the allegation is there against the petitioner, instead of putting his brilliance to achieve something in life, he was appearing for Manish Kumar as alleged in the FIR. However, taking into account that he is a young person, has already remained in custody since 22.08.2024, an undertaking has been given that he shall be appearing in the trial diligently and one of the co-accused, as stated above, has been granted relief, in that background, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with aforesaid P.S. Case subject to the following conditions:

(i) one of the bailors should be the family member/relative of the petitioner who shall provide official document to show his 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 month for next six months to mark his attendance;

(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)

perwez

U		T	
---	--	---	--

