

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.987 of 2025

Arising Out of PS. Case No.-349 Year-2014 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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1. Bipin Kumar Paswan Son of Late Ram Lagan Paswan @ Ranlagan Paswan village- kathari, Ps- Asthawan, Dist- Nalanda
 2. Prem Paswan son of Guru Prasad Paswan @ Garu Prasad Paswan village- kathari, Ps- Asthawan, Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur Ms. Vaishnavi Singh Mr. Ritwik Thakur
For the Opposite Party/s :		Mr. Parmeshwar Mehta
For the State	:	Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 24-02-2025 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Town Police Station Case No. 349 of 2024, dated 23.05.2024, disclosing offences under Sections 420/465/467/468/120B/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that the Incharge Parichari Pravar, Rail, Muzaffarpur,



lodged a written report to the Officer In-charge of the Town Police Station, Muzaffarpur, stating therein, that pursuant to an advertisement no. 01 of 2012 for appointment of constable, the petitioner no. 1 appeared in the examination on 12.08.2013 and was selected and appointed as Constable. It has further been alleged that on the complaint of the petitioner no. 2, it was found that a dummy candidate in the name of petitioner no. 1 appeared in the examination having the same name and date of birth, except the name of his father. After enquiry, it was found that the petitioner no. 1 got the appointment by illegal and unfair means. It has also been alleged that the petitioner no. 2, who initially made a complaint about the dummy candidate having appeared on the behest of petitioner no. 1, however, it was subsequently found that the petitioner no. 2 also arranged a dummy candidate for his appearance in the same examination.

4. Mr. Ajay Kumar Thakur, learned counsel for the petitioners submits that the petitioners have falsely been implicated in the present case on the basis of suspicion that dummy candidates had appeared on their behest. He further submits that handwriting of the petitioners in the



answer sheet was found correct but the petitioners have been removed merely on the basis that during investigation the Recruitment Board found that their knowledge and IQ was not up to mark as per requirement. He next submits that the petitioners were not aware about the First Information Report being lodged by the police in this regard and they came to know about the same for the first time on 12.04.2024, when the police approached them on their residential house.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the fact that the petitioner no. 1 was removed in the year 2014 itself, I am inclined to grant the petitioners privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur, in connection with Town Police Station Case No. 349 of 2014, subject to the condition



laid down under Section 438 (2) of the Code of Criminal
Procedure.

(Anil Kumar Sinha, J)

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