

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22459 of 2026

Arising Out of PS. Case No.-412 Year-2014 Thana- BIHAR District- Nalanda

Mukesh Kumar S/o Pramod Kumar R/o Vill - Tarpur, P.O - Kapsiyawan, P.S -
Hilsa, Dist - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar, Adv.

For the Opposite Party/s : Mr.Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 06-05-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Bihar P.S. Case No. 412 of 2014 dated 19.10.2014 registered for the offence punishable under Section/s 419 and 420 of the Indian Penal Code and Section 10 of the Bihar Examination Act.

3. The prosecution case, in brief, is that one Saroj Kumar, son of Pradeep Kumar and resident of P.S. Hilsa, Nalanda, was found appearing in the Sipahi Recruitment Examination in place of Mukesh Kumar, son of Pramod Kumar. He was apprehended and expelled from the examination for impersonation.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that on the date of the



Constable Recruitment Examination, due to illness, the petitioner could not appear in the said examination, while some other person is alleged to have appeared in the examination on the basis of the admit card issued by the Controller of Examination. It is next submitted that the person who is alleged to have appeared in the recruitment examination has already been taken into judicial custody and has also been granted bail, and that the petitioner has clean antecedents. It is lastly submitted that the petitioner is ready to cooperate with the investigation and that, for earning his livelihood, he has been residing in Ludhiana, Punjab, for a long time and had no knowledge of the allegations made in the present case.

5. Learned APP for the State opposes the prayer for grant of anticipatory bail.

6. Having heard learned counsel for the parties and taking into consideration the fact that the person who was found impersonating the petitioner has already been taken into judicial custody, and that the petitioner has already been debarred from the said examination and has clean antecedents, this Court is inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of his arrest or surrender before the



court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bihar Sharif, Nalanda in connection with Bihar P.S. Case No. 412 of 2014, subject to the condition as laid down under Section 482(2) of the B.N.S.S. as well as the following conditions:

(i) One of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document / personal affidavit to show his/her bona fide;

(ii) the petitioner(s) 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(s) 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;

(Ajit Kumar, J)

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