

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31751 of 2026

Arising Out of PS. Case No.-50 Year-2026 Thana- SAHPUR District- Patna

Shankar Kumar, S/o Suresh Mehta, R/o Village- Kolhua Beharari, Ward
No.13, PS- Shankarpur, Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamlesh Prasad Yadav, Adv.

For the Opposite Party/s : Mr. Ajay Mishra, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 07-05-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Shahpur P.S. Case No. 50 of 2026 dated 07.02.2026, registered
for the offence punishable under Sections 319(2), 318(4), 338,
336(3) and 340(2) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, Chanchal Kumar was
appearing in CTET Exam in place of Shankar Kumar
(petitioner) and during checking the said Chanchal Kumar was
arrested, who confessed that he was participating in place of
Shankar Kumar.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is submitted that the petitioner has not been arrested and



the handwriting and photo of the petitioner has not been confirmed by the expert or any electronic device. Nothing incriminating has come against the petitioner. It is further submitted that the petitioner has not participated but instead of him one Chanchal Kumar participated in the said exam due to which he has been made accused in this case. Lastly, it has been submitted that the petitioner has no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Shahpur P.S. Case No. 50 of 2026, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Danapur, subject to condition as laid down under Section 482(2) of B.N.S.S. as also to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

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