

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35676 of 2026

Arising Out of PS. Case No.-42 Year-2025 Thana- KHAGARIA District- Khagaria

Pradip Kumar @ Pradeep Kumar S/O Nand Kishore Sharma @ Nandkishore
Sharma R/O Post Dhusmuri, Bishanpur, Badil Tola, Bishunpur, Dhusmari,
Bishanpur Dumri, P.S. Gangaur, Dist. Khagaria, Bihar 851204, India

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shankar Roy, Adv.

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 02-06-2026 Heard the learned Advocate for the petitioner and the

learned Additional Public Prosecutor for the State through

virtual mode.

2. The petitioner apprehends his arrest in connection
with Khagaria P.S. Case No. 42 of 2025, registered for the
offences punishable under Sections 233, 318(4) and 319(2) of
the Bharatiya Nyaya Sanhita, 2023 and Section 10 of Bihar
Conduct of Examinations Act, 1981.

3. Based upon the written report, the prosecution
alleges that in the examination held on 04.02.2025 at Centre No.
8302 situated at S.R. High School, Khagaria in place of the
petitioner, a fake student 'Rahul Kumar' had appeared, who was
caught hold by the invigilator and later on, handed over to the
police, resulting into institution of the present FIR.



4. Learned Advocate for the petitioner submitted that since the petitioner had already passed the Secondary School Examination in the year 2023 from Bihar School Examination Board from first division, therefore, there was no reason or occasion for him to appear in the Secondary School Examination. It is further contended that the petitioner has no concern with co-accused 'Rahul Kumar' and in fact, he has never instructed co-accused 'Rahul Kumar' or any person on his behalf to appear in any examination. The entire case is based on suspicion, which requires proper investigation. The petitioner is a student, having tender age of 19 years, with fair antecedent and undertakes that he will fully co-operate in the investigation or in the proceeding of the Court.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submits that the materials available on record clearly suggest that the petitioner has allowed impersonation through co-accused 'Rahul Kumar'.

6. Having considered the submissions advanced on behalf of the learned Advocate for the respective parties and taking note of the fact that the petitioner is a student, with a tender age and fair antecedent, besides the allegation requires proper investigation, let the petitioner above named be released



on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.5,000/- (five thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Khagaria in connection with Khagaria P.S. Case No. 42 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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