

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72338 of 2025

Arising Out of PS. Case No.-53 Year-2020 Thana- VISHNUPAD District- Gaya

Kundan Kumar S/O Krishna Paswan R/O Village- Imadpur, P.S- Tankupa,
District- Gaya, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Shamimul Hoda, Adv.

Mr. Anuj Kumar, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-02-2026 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 419, 420 and 34 of the Indian Penal Code read with Section 10 of Bihar Conduct of Examination Act, 1981.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent. It is next submitted that in sum and substance the allegation is that petitioner was caught giving examination in place of Aditya Kishore. It is next submitted that the offences for which the instant FIR was instituted, carries punishment of seven years and less, thus police had given notice under Section 41(A) of the Cr.P.C. and the petitioner during the course of investigation cooperated with the police but then the police after investigation submitted



charge sheet, based on which, cognizance came to be taken, thus, petitioner apprehends his arrest. It is further submitted that when police during the course of investigation never felt the need of arresting the petitioner and petitioner cooperated in the investigation, whether it would be prudent for the Court to send the petitioner to jail, based on an order of cognizance. It is also submitted that petitioner will not abscond rather will cooperate in the trial to prove his innocence.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Vishnupad P.S. Case No. 53 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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