IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77589 of 2026

CNR No. BRHC011072412026

Arising Out of PS. Case No.-75 Year-2026 Thana- Vishwavidalaya District- Bhagalpur

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Kundan Kumar Tiwari s/o- Sunil Tiwari R/Vill- Tikluganj Mathurapur PS- Shivnarayanpur Dist- Bhagalpur

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Nand Gopal Mishra, Advocate
For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR

ORAL ORDER

2 04-11-2026 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. This application for anticipatory bail arises out of University P.S. Case No. 75 of 2026, for the offence punishable under Sections 319(2) and 318(4) of the B.N.S. and Section 10 of the Bihar Examination Act.

3. As per the prosecution allegation, the petitioner submitted a home written answer sheet along with the original answer sheet and after being caught by the invigilator, he was expelled as per rules, and information has been sent to the examination department of the concerned university.

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4. Learned counsel for the petitioner has submitted that the petitioner is a Post-Graduate student and he was not arrested at the spot. It has further been submitted that the petitioner reserves his right of defence before the concerned authorities. It has further been submitted that the petitioner has been expelled from the examination and his Post-Graduate course is itself has also now jeopardized. It has further been submitted that as regards Section 319(2) of the B.N.S. is concerned, the same is bailable, and Section 318(4) B.N.S. would not be applicable against him. It has lastly been submitted that the petitioner has got no criminal antecedent.

5. Learned counsel for the State opposed the prayer of anticipatory bail of the petitioner.

6. Heard the parties and perused the record.

7. Considering the facts and circumstances as well as nature of material against the petitioner, let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class-cum-Additional Munsif, Bhagalpur, in connection with University P.S. Case No. 75 of 2026, subject

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to the conditions as laid down under Section 482(2) of the B.N.S.S.

(Praveen Kumar, J)

Abdus/-

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