

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46048 of 2015

Arising Out of PS.Case No. -23 Year- 2012 Thana -ECONOMIC OFFENCES, BIHAR District-
PATNA

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1. Gautam Kumar Son of Bir Prakash Gupta, R/o Mohalla- Sanjay Nagar,
Road No. 4, P.S.- Jakkanpur, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agarwal, Sr. Advocate
With Mr. Vishwa Ranjan Choudhary

For the Opposite Party/s : Mr. Amrendra Prasad(APP)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 13-10-2015 Heard learned Senior counsel appearing on behalf
of the petitioner and learned Additional Public Prosecutor
appearing on behalf of the State.

This application for grant of regular bail arises out of
Economic Offence P.S. Case No. 23 of 2012, disclosing
offences under Sections 420,468,472 and 120B of the
Indian Penal Code.

This matter arises out of a selection process held by
Bihar Staff Selection Commission for appointment to the
posts of Junior Engineers. Allegedly, in an organized
manner, some people are said to have conspired to
manipulate OMR answer-sheets. Petitioner was an

applicant for the said post. His name has surfaced on the basis that his original documents were recovered from an Apartment by the raiding party, from where the conspirators were arrested.

Learned senior counsel appearing on behalf of the petitioner has submitted that some of the co-accused persons, similarly circumstanced, have been granted regular bail by this Court. He further submits that since the charge-sheet has been submitted, there would be no necessity of custodial interrogation of the petitioner and, therefore, no tangible purpose would be served, if the petitioner is allowed to remain in custody, further. He contends that there is no chance of the petitioner tampering with the evidence nor fleeing away from the course of justice.

In view of the facts and circumstances and submissions as above, this application is allowed. Let petitioner above named, 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 Sub-Divisional Judicial Magistrate, Patna.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case

may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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