

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53218 of 2015

Arising Out of PS.Case No. -514 Year- 2015 Thana -MUZAFFARPUR SADAR District-
MUZAFFARPUR

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1. Santosh Kumar Son of Umesh Prasad @ Umesh Prasad Singh Resident
of Village Baijalpur, P.S. Asharganj, District Munger

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar

For the Opposite Party/s : Mr. Arun Kumar (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 15-01-2016 Heard the learned counsel for the petitioner as well as
the learned A.P.P.

The petitioner seeks bail in a case for the offences
punishable under sections 419 and 420 of the I.P.C and sections 3
and 10 of Bihar Board Examination Act.

In the S.S.C. constable examination 2015 in place of
Munmun Tiwari co-accused Arvind Kumar was appearing and
was caught and during investigation it transpires that the petitioner
is one of the associate of that Arvind Kumar and further from the
room of the petitioner laptop, mobile and other incriminating
articles were recovered and the petitioner confessed his guilt also.

Submission is of false implication and that the
recovered articles are in no way connected with the S.S.C.

Constable Examination and besides the alleged confessional statement and suspicion there is nothing against the petitioner, whereas, other co-accused Arvind Kumar, who was caught in the examination and Ravi Ranjan @ Ritu Raj have already been allowed bail by other coordinate Bench of this Court.

The learned A.P.P. fairly submits that the name of the petitioner transpired in the statement of the spy and then his room was raided and search was made.

In the facts and circumstances as stated above, considering that the charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence, the petitioner is directed to 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 C.J.M. Muzaffarpur in Muzaffarpur Sadar P.S. Case No. 514 of 2015/ G.R. No. 5270 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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