

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30123 of 2017

Arising Out of PS.Case No. -14 Year- 2017 Thana -WARSALIGANJ District- NAWADA

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Nilesh Kumar Son of Anil Jha Resident of Village - Saichak
(Phulwarisharif), P.S. - Beur, District - Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 02-08-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
06.02.2017 in connection with Warisaliganj P.S. Case No. 14 of
2017 registered for the offence punishable under Sections 420,
467, 468, 471 and 120(B) of the Indian Penal Code, Section 10 of
the Bihar Conduct of Examination Act and Section 66 of the I.T.
Act.

The prosecution case, as lodged by the informant, is
that he received a secret information that house of Satya Narayan
Sharma situated at Simaribigha, village – Bilari, P.S. Katrisarai,
District Nalanda was taken on rent by Gauri Shankar Sharma for



the purpose of providing help to examinees appearing at Bihar Employees Selection Commission Examination through illegal means, such as, Mobile, Blue Tooth, WhatsApp etc. and they are realizing huge amount from the candidates who have to appear in examination on 05.02.2017 and on other dates. From search of the room, a laptop, mobile etc. were recovered and several persons including petitioner were arrested and incriminating articles were recovered and seized from their possession.

It has been submitted by the learned counsel for the petitioner that only his mobile and I.D. card have been found in his possession, no overt act has been committed by him and some of the co-accused have been granted the privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 24210 of 2017 and other analogous cases on 30.06.2017 and also in Cr. Misc. No. 26847 of 2017 on 28.07.2017 on similar allegations.

However, learned A.P.P. for the State submits that the petitioner has been found at the place of occurrence, hence, opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand



only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-II, Nawada in connection with Warisaliganj P.S. Case No. 14 of 2017, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable properties within the jurisdiction of the concerned P.S./ Court, who would file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned Court below on each and every date and failure to appear before the learned Court below on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

It is further made clear that petitioner will cooperate and provide all necessary papers within his possession and information during investigation of other co-accused.

(Nilu Agrawal, J.)

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