IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25639 of 2017

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

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Arvind Kumar, son of Upendra Yadav, resident of Village- Bhaluahi Kewali, P.S.- Kawakole, District- Nawadah.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mr. Pancha Nand Pandit, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 14-07-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

Petitioner is languishing in judicial custody since 09.02.2017 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 police personnel, is that on a secret informant that some persons have assembled in a house at village Bilari Katrisarai for making arrangement for cheating in SSC examination by mobile, blue tooth etc., they raided the said house, arrested several persons and

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seized several incriminating articles, including cash. On query, accused persons disclosed that they used to take out question papers of different competitive examinations of SSC with the help of electronic instruments for giving benefits to the examinees after taking money.

It has been submitted by the learned counsel for the petitioner that he is innocent, as many as 20 persons were caught red handed and petitioner's name surfaced only on the basis of a noting in a register where his mobile number, registration number, roll number and date of birth have been noted. He further submits that petitioner has no criminal antecedent and has been implicated in the aforesaid case only on the basis of suspicion. It is further submitted that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence and that other accused persons on similar allegations have been granted the privilege of bail by coordinate Benches of this Court in Cr. Misc. No. 24509 of 2017 on 05.07.2017 and Cr. Misc. No. 25567 of 2017 on 07.07.2017.

However, learned A.P.P. for the State submits that the matter relates to an examination scam and the petitioner has been named in the First Information Report, hence, opposes the prayer for bail.

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Considering the facts and circumstances, 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 Chief Judicial Magistrate, 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 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 the petitioner will cooperate with the investigation and provide necessary papers during investigation of other co-accused.

(Nilu Agrawal, J.)

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