

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37730 of 2017

Arising Out of PS.Case No. -239 Year- 2017 Thana -KOTWALI District- PATNA

- =====
1. Santu Kumar @ Santu Choudhary, Son of Ashok Choudhary,
 2. Chandan Kumar, Son of Dayanand Prasad, Both R/o Village- Rahicha,
P.S.- Sheikhopur Sarai, District-Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Binod Kumar Sinha

For the Opposite Party/s : Mr. Kanhaiya Kishore

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-08-2017 Heard the learned counsel for the petitioners and the
learned counsel for the State.

The petitioners seek regular bail in connection with
Kotwali P.S. Case No. 239 of 2017, for the offences punishable
under sections 417, 418 and 420 of the Indian Penal Code.

The case of the prosecution in brief is that one
Narendra Kumar Singh, Sectional Officer, Central Secondary
Bihar School Examination Board gave a written report before the
S.H.O., Kotwali Police Station, Patna alleging therein that
information was being received with regard to some unknown
persons demanding money on telephone from the examinees and
their guardians to increase marks in the annual Secondary
Examination, 2017.



The petitioners are not FIR named accused persons. The petitioners are said to have been arrested on suspicion and thereafter their confessional statement was recorded by the Police.

The learned counsel for the petitioners submits that the petitioners have got nothing to do with the alleged incident, they have a clean antecedent and have been roped in the present case merely on the basis of suspicion. However, nothing incriminating articles have been recovered from their possession. It is further submitted that similarly situated co-accused person has already been granted bail by a co-ordinate Bench of this Court vide order dated 28.7.2017 passed in Criminal Misc. No. 34362 of 2017.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioners, named above, on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna in connection with Kotwali P.S. Case No. 239 of 2017.

(Mohit Kumar Shah, J)

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