

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26847 of 2017

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

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1. Ranjan Kumar Son of Anil Singh
2. Gauri Shankar, Son of Awadhesh Kumar Sharma Both Residents of
Village- Newajgarh, P.S. Warisaliganj, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Narain, Sr. counsel
Mr. Shiw Kumar Prabhakar, Advocate
Mr. Uma Shankar Sharma, Advocate

For the Opposite Party/s : Mr. Akbar Ali, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 28-07-2017 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are languishing in jail since
06.02.2017 in a case registered for the offences punishable under
Section 420, 467, 468, 471, 120 (B) of the Indian Penal Code
as well as under Section 10 of Bihar Examination Conduct and
Control Act and under Section 66 of IT Act.

The prosecution case as lodged by the informant is
that he received secret information that house of Satya Naryan
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 Totth , whats app 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. was recovered and several persons including these petitioners were arrested and incriminating articles were recovered and seized from their possession.

It has been submitted by the learned counsel for the petitioners that so far as petitioner No. 1 is concerned from his possession only mobile has been recovered whereas from the possession of the petitioner No. 2, ATM Card, Pass Books, I. D. Cards and Admit Cards etc of various candidates have been recovered. He submits that there is no recovery of any incriminating materials from the possession of the petitioners, which shows that they were preparing materials for SSC Examinees only for the purpose of help. It has been submitted that a large number of persons, who have been apprehended and named in the F.I.R. have been granted the privilege of bail by other Co-ordinate Benches of this Court and in Cr. Misc. No. 24210 of 2017 and other analogous cases by a Co-ordinate Bench of this Court as on 30.06.2017.

However, learned A.P.P. for the State submits that the



petitioners have been found alleged to be at the place of occurrence, hence, opposes the prayer for bail.

Considering the facts and circumstances of the case and materials on record, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten thousand)each with two sureties of the like amount each to the satisfaction of learned chief Judicial Magistrate, Nawada in connection with Warsaliganj P. S. Case No. 14 of 2017, subject to the conditions that one of the bailors would be a close relative of the petitioners and the petitioners will appear before the learned Court below on each and every date and failure to appear before the Court below on two consecutive dates without assigning any reason will entail cancellation of their bail bonds. It is further made clear that the petitioners will co-operate and provide all necessary papers and information during investigation.

(Nilu Agrawal, J)

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