

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38047 of 2017

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

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Subhash Kumar @ Pitamber Kumar, son of Ram Nandan Prasad, resident of
village-Rahincha, P.S. Shekhopur Sarai, District Sheikhpura.

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey

For the Opposite Party/s : Mr. Shailendra Kumar -1

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

02 10-08-2017

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in Kotwali P.S. Case No.
239 of 2017 registered under Section 417, 418 and 420 of the
Indian Penal Code.

As per the prosecution case, the petitioner along
with other accused persons are said to have demanded money
from examinee and from their parents in the Annual Secondary
Examination, 2017 for enhancement of the marks and also getting
them stood first in the examination.

It is submitted by learned counsel for the petitioner
that there is no cogent evidence on record indicating the
complicity of the petitioner. Petitioner's name came in the case in
the confessional statement of a co-accused, which has no



evidentiary value in the eye of law. The petitioner has been languishing in custody since 11.06.2017. Similarly situated co-accused persons have been granted bail by co-ordinate Benches of this Court in Cr. Misc. No.33977 of 2017 vide order dated 20.07.2017 and Cr. Misc. No.34362 of 2017 vide order dated 28.07.2017.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Patna in connection with Kotwali P.S. Case No.239 of 2017.

(Prakash Chandra Jaiswal, J.)

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