

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50220 of 2017

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

- =====
1. Ramesh Kumar, S/o Kari Yadav, R/o Village- Chaprahi, P.S.- Khajoli, District- Madhubani.
 2. Ranjit Kumar S/o Late Ganga Prasad Yadav, R/o Village- Kamlawari, P.S.- Jainagar, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajni Kant Jha

For the State : Mr. Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 22-11-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Warisaliganj P.S. Case No. 14 of 2017 instituted for the offence under Sections-420, 467, 468, 471 and 120(B) of the Indian Penal Code r/w Section-10 of Bihar Examination Conduct of Examination Act and Section-66 of the I.T. Act.

It has been submitted that petitioner have clean antecedent. They are students. There is no recovery from their conscious possession. Their name has transpired in the confessional statement of Raushan Kumar.

In the written report, there is allegation that the informant got confidential information that a group of persons have assembled in the house of Satyanarayan Sharma, which had been taken on rent and



they are trying to do the act of copying in the S.S.C. Examination conducted by Bihar Staff Selection Service Commission by the use of unfair means by means of mobile, blue tooth and other electronic device by obtaining questions fraudulently and for this purpose, they are also collecting heavy amount from the examinees and beneficiaries; organized a police force and raided the said house and arrested 49 persons on the spot and also seized mobile, admit cards etc. The arrested persons disclosed that their leader is Rajesh Gupta. As such, there is no specific allegation of any overt act against these petitioners.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Warisaliganj P.S. Case No. 14 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-II, Nawada subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case,



prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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