

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.33753 of 2018

Arising Out of PS.Case No. -74 Year- 2018 Thana -KOTWALI District- PATNA

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Vishwajit Ram, S/o Manilal Ram, R/o vill.- Mohaddi Nagar,
P.S.- Halsi, District- Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Jha

For the Opposite Party/s : Mr. S. Ehteshamuddin

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 06-07-2018 This application for grant of regular bail arises out of Kotwali P.S. Case No. 74 of 2018, dated 09.02.2018, instituted for the offences under Sections 417, 418, 419, 420, 120(B), 467 and 468 of the Indian Penal Code and Section 66(b) (c) and (d) of the Information Technology Act.

Director (Exam.) of the Directorate of Employment and Training received an e-mail message that the examination which was being conducted for entrance to I.T.I. was attempted to be tampered with as some of the persons had received the question papers before the



commencement of the examination. On such information having been received by the Director (Exam.), the subject F.I.R. was registered for investigation. The petitioner has not been named in the F.I.R., but during the course of investigation, it was found that the aforesaid message to the informant was sent by one Mukesh Kumar. He has disclosed the name of the petitioner. When the petitioner was interrogated, he also admitted that the leaked question papers were transmitted to the examinees. Several persons were involved in the aforesaid occurrence.

Learned counsel for the petitioner, however, has submitted that he has been falsely implicated in this case on the basis of suspicion. No answer-sheet was recovered from his personal possession or from his house. The petitioner works as an instructor in a private I.T.I. at Sikandara. He was made to give his confessional statement under duress.

The petitioner is in custody since 15.02.2018 and it has been submitted that the investigation is almost on the verge of completion.

Regard being had to the aforesaid facts, especially the period of custody of the petitioner above named, he is directed to be released on bail on his furnishing bail-bond of Rs.10,000/- (Rupees Ten



Thousand) 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. 74 of 2018.

However, it is made clear that the petitioner shall participate in the investigation if the same has not been concluded and shall also participate in the trial if he is sent to face the trial.

(Ashutosh Kumar, J)

Praveen-II/-

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