

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41023 of 2017

Arising Out of PS. Case No.-44 Year-2017 Thana- AGAMKUAN District- Patna

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KAUSHLENDRA KUMAR @ KAUSHIK @ GORELAL Son of Bindeshwar Prasad, Resident of Village-Harprasad Bigha, P.S. Ven, District Nalanda.

... .. Petitioner/s

Versus

The State of Bihar Through Vigilance Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nilesh Kumar

For the Opposite Party/s : Mr.Ramakant Sharmal.O.,I/C. Vigilance

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

7 18-04-2019 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case registered under Sections 419, 420, 467, 468, 471/34 in which, later on, Section-120B of the Indian Penal Code and Sections 66(B) of I.T. Act as well as Sections 7, 8, 9, 13(1)(c)(d)(e) read with Section 13(2) of the Prevention of Corruption Act was also added.

The prosecution case, in brief, is that the accused persons were involved in getting the merit-less candidates passed in the competitive examination of Bihar State Staff Selection Commission for their recruitment in the government service by adopting corrupt and illegal means and also by



cheating and using electronic devices after taking huge amount from the candidates.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 13-04-2017. Charge sheet in this case has already been submitted. The petitioner has been falsely implicated in the present case. He has remained in custody for a long period. There is no other substantive evidence to suggest the implication of the petitioner in the present case.

On behalf of the State, it is submitted that the persons who were apprehended at the spot, have disclosed the name of the petitioner who was involved in the appointment of government employees by unfair means. The examinations were being carried out by the Bihar Staff Selection Commission. The bail applications of other similarly situated co-accused have been rejected by a coordinate bench of this court vide Cr. Misc. Nos. 53691 of 2017, 44921 of 2018, 23574 of 2018, and 37437 of 2018.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. Accordingly, prayer for bail of the petitioner in connection with Special Case



No. 11 of 2017 arising out of Agamkuan P.S. Case No. 44 of
2017 is rejected.

(Sudhir Singh, J)

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