

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24106 of 2021**

Arising Out of PS. Case No.-26 Year-2021 Thana- GARDANIBAG District- Patna

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Jitendra Kumar, Son of Satyanarayan Prasad @ Satyanarayan Paswan, R/O  
Village- Madharpura @ Madanpura, P.O.- Piyan, P.S.- Sonhan, Dist.- Kaimur  
(Bhabhua).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                      |   |                                                                               |
|----------------------|---|-------------------------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Y.C. Verma, Sr. Adv.<br>Mr. Bibhuti Narayan, Adv.<br>Mr. Anuj Kumar, Adv. |
| For the State        | : | Mr.Parmeshwar Mehta, APP                                                      |

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**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

3      29-11-2021                      Heard learned counsel for the petitioner as well as  
learned APP for the State.

Let the defect(s) be removed within two weeks of the  
complete start of the physical Court in normal course.

Petitioner seeks bail in connection with Gardanibagh  
P.S. Case No.26 of 2021 (G.R. No.644 of 2021) registered for  
offence punishable under Sections 419, 420, 467, 468, 120(B) of  
the IPC and Section 10 of Bihar Conduct of Examination Act,  
1981.

As per the prosecution case, petitioner who is a  
contractual employee and has been assigned to operate  
computer during the course of selection of constables, had  
enhanced the number of one candidate at serial no.381, namely,



Kumari Prem Lata by giving 25 marks in high jump in place of 13 marks. On the basis of information given by one another computer operator Jitendra Kumar posted at table no.2 regarding alleged forgery committed by the petitioner, the present FIR has been lodged.

Learned counsel appearing on behalf of the petitioner submits that petitioner has falsely been implicated and at best if the allegations made in the FIR are taken on its face value, it is only technical laches which has been committed on behalf of the petitioner, for which he has been made an accused in the present criminal case. It has further been submitted on behalf of the petitioner that FIR has been lodged after inordinate delay and such technical mistake has not only been committed by the petitioner but by other persons also who were performing the work of computer operator on the said center for which Gardanibagh P.S. Case No.38 of 2021 was lodged and they have been already released on bail. Learned counsel for the petitioner submits that petitioner is in custody since 20.01.2021 and prays for bail.

Learned counsel appearing on behalf of the State submits that petitioner has directly been named in the FIR for the alleged conspiracy framed by him and it is a case of forgery



for some illegal gain by the petitioner and as such he do not deserves to be enlarged on bail.

In the facts and circumstances of the case and the nature of allegation made in the FIR, let the petitioner be released on bail on furnishing bail bond of Rs.1,00,000/- (Rupees One Lac) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., XIVth, Patna in connection with Gardanibagh P.S. Case No.26 of 2021 (G.R. No.644 of 2021) , subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

(3) If the petitioner tampers 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 petitioner.

**(Purnendu Singh, J)**

Prakash Narayan /-

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