

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29771 of 2021

Arising Out of PS. Case No.-148 Year-2021 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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KUMAR ABHISHEK Son of Mr. Shivnandan Chaudhary Sharma Resident of
Village - Shikariya, P.S.- Ram Pur, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Udbhav, Adv.

For the Opposite Party/s : Mr.Md.Mushtaque Alam, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-07-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove
the defects within four weeks of resumption of normal court
proceeding. In the eventuality of non-removal of defects within
undertaken period, the office will place the matter before the
Bench.

The petitioner seeks bail in connection with Sadar P.S.
Case No.148 of 2021 registered for the offence punishable
under Sections 419, 420 and 34 of the Indian Penal Code and
section 10 of the Bihar Examination Control 1981.

The prosecution case in short is that in the IBPS and
CRPO examination conducted at I.D.Z. Bhagwanpur Centre, it



was found that some examinees have changed their seats instead of sitting in the allotted seats. They were sitting in pair and were wearing identical dress and changed their seats with each other for the purpose of cheating. Thereafter, the police arrived and they were arrested. It is alleged that the petitioner was one of them.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the FIR. He has been falsely implicated in this case by the police. No incriminating article has been recovered from the conscious physical possession of the petitioner. Petitioner is a bonafide candidate and he was writing his own answer in the answer sheet which was made available to him. No candidates were found doing anything illegal or bad in law and no cheating material was found by the police. The petitioner has no criminal antecedent and has been languishing in custody since 21.02.2021, as such, he may be enlarged on bail.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the



satisfaction of the learned Chief Judicial Magistrate,
Muzaffarpur, in connection with Sadar P.S. Case No.148 of
2021.

(Anjani Kumar Sharan, J)

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