

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31708 of 2021

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

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1. Shikesh Kumar Son of Vivek Ram Resident of Village and Post Office - Sonbarsha, P.S.- Kutumba, Dist. - Aurangabad, Bihar.
 2. Shashi Bhusan Kumar Son of Sanjay Paswan Resident of Village and Post Office - Anchha, P.S.- Daudnagar, Dist. - Aurangabad, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishal Vikram Rana

For the Opposite Party/s : Mr. Anuj Kumar Srivastava

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 26-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioners seek bail in Muzaffarpur Sadar P.S. Case No. 148 of 2021, registered for the offence under Sections 419 and 420/34 of the Indian Penal Code and Section 10 of the Bihar Examination Control Act.

As per the prosecution case, the online examination of IBPS, CRPO was going on at IDZ Examination Centre on 20.02.2021 and during the inspection, it was found that some examinees including these petitioners, after exchanging their seats, were found sitting in pair having identical dress for the purpose of cheating.



It is submitted on behalf of petitioners that petitioners were *bonafide* examinees and were writing own answer in the answer-sheet, which were made available to them. They have neither changed their sitting arrangements nor violated any rule of examination. Petitioners have got clean antecedent and are in custody since 21.02.2021.

Learned A.P.P. for the State has opposed the bail petition.

Considering the rival submissions of the parties and the materials available on record, the bail petition of petitioners is allowed. Let the above named petitioners be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Muzaffarpur / concerned court in connection with Muzaffarpur Sadar P.S. Case No. 148 of 2021, on the following conditions:

“(1) Petitioners shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on their absence on two consecutive dates without sufficient reason, their bail-bond shall be cancelled by the court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for



cancellation of bail.”

(Prabhat Kumar Singh, J.)

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