

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36552 of 2021**

Arising Out of PS. Case No.-51 Year-2021 Thana- INDUSTRIAL District- Bhagalpur

Dipak Kumar Sah Son of Naresh Prasad Sah Resident of Village- Bounsi,
P.S.- Bounsi, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar

For the Opposite Party/s : Mr.Umesh Lal Verma, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 28-09-2021 Heard both parties.

The petitioner seeks bail in Industrial P.S. Case No. 51 of 2021, registered for the offence punishable under Sections 419, 420, 467, 468/34 of the Indian Penal Code and section 10 of the Bihar Conduct of Examination Act, 1981.

As per the prosecution case, during examination of Junior Engineer organized by SSC, one Dinkar Kumar was sitting in place of candidate Nandan Kumar Roll No. 320110042 and Registration No. 82000281579. It is alleged that the IT Manager of the Center and co-accused Bipin Kumar Choudhary, Nilesh Kumar and Dipak Kumar Sah (petitioner) was also involved in this case.

It is submitted on behalf of the petitioner that name of petitioner has been disclosed by co-accused who was arrested



on the spot, but he has been falsely implicated in this case. Similarly situated co-accused have been granted bail by different Benches of this court vide order dated 16.07.2021 passed in Cr. Misc. No. 37134 of 2021 and order dated 06.08.2021 passed in Cr. Misc. No. 33522 of 2021. Petitioner is in custody since 24.03.2021 having clean antecedent.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur in connection with Industrial P.S. Case No. 51 of 2021, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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