

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2267 of 2021

Arising Out of PS. Case No.-47 Year-2020 Thana- RIGA District- Sitamarhi

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1. RAJEEV KUMAR S/o Ram Ekbal Thakur Resident of Riga, Ward No.- 14, P.S.- Riga, District- Sitamarhi
 2. Nitish Kumar S/o Ramautar Mahto R/o village- Najarpur Budhvara, P.S.- Riga, Distt.- Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Murari

For the Opposite Party/s : Mr. A.G

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 17-11-2021 Heard learned counsel for the petitioners and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Riga P.S. Case no. 47 of 2020 instituted for the offence punishable under Sections 420/34 of the Indian Penal Code and Section 66(c) of the I.T. Act.

As per allegation in the FIR, question paper of Matric Examination, 2020 got viral in Riga Whatsapp Group, by using mobile no. 9113309681, which belongs to the Admin, who is petitioner no. 1. Petitioner no. 2 was his accomplice and has deleted the contents from his mobile no. 8862949227 before approaching the police party.



Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have been falsely implicated in this case. He has got no criminal antecedent.

Learned APP appearing for the State has opposed the prayer of bail.

Having heard learned counsel for the parties and going through the impugned order dated 25.8.2020 passed in ABP no. 759 of 2020, it is evident that witnesses have also supported the prosecution case, which is mentioned in para nos. 2,3,4 and 5 of the case diary, this Court is not inclined to grant bail to the petitioners and, as such, their application for bail is rejected.

However, if the petitioners surrender and pray for regular bail, the same shall be considered by the court below, without being prejudiced by this order of rejection.

(Sunil Kumar Panwar, J)

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