

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44349 of 2021

Arising Out of PS. Case No.-52 Year-2021 Thana- TATARPUR District- Bhagalpur

Sunil Kumar Son of Late Yamuna Prasad R/O- Mohalla- Nasratkhani Nath
Nagar, P.S. - Nath Nagar, Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Pd. Singh, Sr. Adv. Mr. Chandra Shekhar Singh, Adv.
For the Opposite Party/s	:	Mrs. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-04-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

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

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 406/420 of
the Indian Penal Code and Section 10 of the Bihar Examination
Act, 1981.

Prosecution case is that on 17.12.2020 at about
8.15am, Dr. Amitabh Chakravarti Assistant Professor Maithili
Department, TNB College Bhagalpur was given the question
paper of maths B.Sc. Part III examination 2020 by few unknown



students and the said papers were given to him before the examination. Thereafter, the administration of University constituted a three member committee to investigate the matter and after investigation, the committee gave his report that heating has taken place in the office copy of question papers of examination department and they found that the employee of the examination department namely Sunil Kumar and Satyendra Kumar Sah, 4th Grade employee are the culprit in leaking the examination papers. Thereafter, FIR was lodged under Section 409/420 IPC and 10 Bihar Examination Act, 1981.

It is submitted by learned counsel for the petitioner that petitioner is innocent and has been falsely implicated in this case. He submits that petitioner was earlier posted in the Examination Department of the University but vide Office order dated 10.08.2020, the petitioner was transferred to the other department. Thereafter, petitioner submitted his joining at newly transferred place on 13.08.2020. He submits that the petitioner at the relevant time, when the occurrence took place, was not posted in the Examination Department and he was discharging his duty elsewhere. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.



Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of the case, the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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 court below where the case is pending/successor court in connection with Tatarpur University P.S. Case No. 52 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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