

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4552 of 2023**

Arising Out of PS. Case No.-343 Year-2022 Thana- KARJA District- Muzaffarpur

1. PINTU PANDIT @ MINTU PANDIT Son of Motilal Pandit Resident of Village- Mangolapur Mathiya, Post- Mangolapur, P.S.- Jalalpur, District- Saran, Bihar, Pin- 841412
2. RITESH KUMAR SINGH @ Ritesh Kumar Son of Ganesh Singh Resident of Village and Post- Usti, P.S.- Baniyapur, District- Saran, Bihar, Pin- 841403
3. VINIT KUMAR Son of Rajeshwar Prasad Singh Resident of Village and Post- Usti, P.S.- Baniyapur, District- Saran, Bihar, Pin- 841403

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |   |                                                           |
|----------------------------|---|-----------------------------------------------------------|
| For the Petitioner/s       | : | Mr.Amrit Kumar,<br>Mr. Kumar Shanu,<br>Ms. Sonali Kishore |
| For the Opposite Party/s : |   | Mr.Pawan Kumar Chaurasia                                  |

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      19-01-2023                      As prayed for, learned counsel for the petitioners is permitted to make correction in the name of petitioner no 2 in course of the day.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners have prayed for bail in a case instituted for the offence under Sections 420, 120(B), 34 of the Indian Penal Code and Section 66(D) of the IT Act.

As per allegation in the FIR, while examination for recruitment in the Indian Coast Guard, Govt. of India was going



on, in second shift a candidate, namely, Pankaj Kumar Yadav was caught in examination center by supervisor for breaking the rules of protocols by using bluetooth device for cheating. On interrogation, he disclosed names of four other accused persons including the petitioners, who are employees of Smart Solution Center.

It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. They are not acquaintance with the entire episode. The responsibility of checking the candidates lies with the Authorized Training Center and therefore, petitioners cannot be made liable for carrying the electronic device by the candidates into examination center. The petitioners had no access to the center and no incriminating material has been recovered from their conscious possession. They have committed no offence. Petitioners are languishing in judicial custody since 23.11.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail



bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1<sup>st</sup> Class, Muzaffarpur in connection with Karja P.S. Case No. 343 of 2022.

(Sunil Kumar Panwar, J)

sushma/-

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