

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8813 of 2023

Arising Out of PS. Case No.-691 Year-2022 Thana- GARDANIBAG District- Patna

1. BITTU KUMAR Son of Ramnath Singh R/V- Bahadurganj, Ward No. 9, P.S- Alauli, Dist- Khagaria
2. Vinay Kumar @ Binay Kumar Son of Triveni Mandal R/V- Navtoli, Nawaltoli, P.S- Gogri, Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravish Mishra

For the Opposite Party/s : Mr. Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 419, 420, 467, 468, 120(B)/34 of the Indian Penal Code.

The prosecution case, in brief, is that both petitioners have appeared before central, Chayan Parisad for ‘Constable requirement’ and they were produced for Biometric verification but the Biometric supervisor has opined that their thumb impressions were not matched with the persons who have appeared for written examination, as such, these petitioners were forged persons. Further, alleged that petitioners have



placed some scholars in the written examination as such they were declared pass and have tried to get job with the help of some unknown persons.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They has falsely been implicated in this case. It is further submitted vide para 11 & 12 of the petition that both the petitioners have passed the competitive written examination, wherein the mechanisms were as tough but no fault was found and their details & records were found to be correct. The prosecution has not brought on record the details in relation to the handwriting & thumb impressions regarding to the petitioners' written examination and before conducting proper evaluation and inquiry, they were declared guilty. The petitioners have got no criminal antecedent and languishing in judicial custody since 19.11.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

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



be released on bail in connection with Gardanibagh P.S. Case No. 691 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna.

(Sunil Kumar Panwar, J)

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