

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27179 of 2023

Arising Out of PS. Case No.-40 Year-2022 Thana- ECONOMIC OFFENCES, BIHAR
District- Patna

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Ravindra Kumar S/O Ashok Mandal R/O Village- Jaulahniya, P.S- Pipra,
Distt.- Supaul.

... .. Petitioner/s

Versus

The State Of Bihar Through Economic Offence Unit Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Advocate
For the EOU	:	Mr. Vishwanath Pd. Sinha, Sr. Advocate
	:	Mrs. Soni Shrivastava, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 17-07-2023 Heard Mr. Krishna Prasad Singh, learned senior
counsel for the petitioner and Mr. V.N.P. Sinha, learned senior
counsel appearing on behalf of the EOU, assisted by Mrs. Soni
Shrivastava, learned counsel.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail who is in custody since
29.12.2022 in connection with Economic Offence (Patna) P.S.
Case No. 40 of 2022, F.I.R. dated 24.12.2022 for the offences
punishable under Sections 420, 467, 468, 469, 120B/34 of the
Indian Penal Code, Section 66 of I.T. Act and Section 10 of the
Bihar School Examination Act.



According to prosecution case, under a conspiracy, the examinee Ajay Kumar in connivance with others, had stealthily made pages of the Answer-sheet no. 5092573 viral on social media wherein the role of the invigilator-teacher Sachindra Nath Jyoti appeared suspicious.

Learned senior counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the present F.I.R was lodged against the co-accused, Ajay Kumar whose question paper went viral on social media and against the co-accused, Sachindra Nath Jyoti who was invigilator of Room No. 42 in which the co-accused, Ajay Kumar was writing his examination. He further submits that as per the allegation, the petitioner was involved in the present occurrence and the viral question paper was also forwarded to the petitioner's mobile phone by the co-accused Kailash Sah's mobile phone. He further submits that the petitioner has not forwarded the alleged question paper to any other person rather he has seen the alleged forwarded message after completion of his examination. That save and except that a question paper was forwarded to the mobile phone of the petitioner, but the same is not available during the course of investigation and he has never forwarded



any question paper from his mobile phone to the co-accused mobile phone. The prosecution after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 29.12.2022.

Learned counsel appearing on behalf of the EOU has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released 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 Additional Chief Judicial Magistrate I, Patna in connection with Economic Offence (Patna) P.S. Case No. 40 of 2022, subject to the following conditions:-

1. 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall



verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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