

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37881 of 2023

Arising Out of PS. Case No.-93 Year-2013 Thana- SHASTRINAGAR District- Patna

SHYAM KUMAR SAURAV @ SHAYAM KUMAR SAURABH Son of Sri
Chhabbu Prasad Yadav @ Chhabbu Yadav R/v - Kopariya, P.S. - Salkhua
(Khalkhua), Distt. - Saharsa

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha
For the Opposite Party/s : Mr.Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 419, 420, 467/34 of the
Indian Penal Code.

As per FIR, the allegation against the petitioner is that
he along with other co-accused attempted to be selected to the
post of constable by submitting two applications with an
intention to committing malpractices in the examination by
cheating. Petitioner has affixed a photo of known person with a
pseudonym similar to his address for getting selection to the
post of constable.

It is submitted by learned counsel for the petitioner



that petitioner has been falsely implicated in this case. He has committed no offence. The police has not filed any requisition for taking the warrant of arrest against the petitioner but the police has not raided the house of the petitioner rather on 18.03.2023, the police reached at the house of the petitioner which has been mentioned in para-80 of the case diary. The police remanded the petitioner in this case but the police has not taken any warrant of arrest against the other accused persons, which itself goes to show that after passing of 10 years, the police has taken action in this case and arrested the petitioner in this case. He further submitted that offence was not completed because the recruitment of the petitioner was not made on the post of the constable. Petitioner has not prepared to appear in the examination of constable rather he has been working as an agent of Grahak Seva Kendra/CSP of Uttar Bihar Gramin Bank. He is languishing in judicial custody since 18.03.2023.

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 as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged



on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court concerned in connection with Shastri Nagar P.S. Case No. 93 of 2013.

(Sunil Kumar Panwar, J)

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