

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42648 of 2023
Arising Out of PS. Case No.-247 Year-2023 Thana- SASARAM MUFFSIL District- Rohtas

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Chhathu Kumar Son Of Sigasan Pal @ Sihasan Pal Resident Of Village -
Deodihi, P.S. - Chenari, District - Rohtas

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Chaubey
For the Opposite Party/s : Mr.Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a

case registered for the offences punishable under Section

420 of the Indian Penal Code and Section 66(D) of the

Information Technology Act.

The prosecution case as per F.I.R is that in the

Central Selection Board (Constable Recruitment)

Examination, the petitioners were caught with Bluetooth

devices in the examination hall.



It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. There is recovery of Bluetooth devices from the possession of the petitioner and nowhere in the F.I.R, it was mentioned that any mobile phone was recovered from the possession of the petitioner, therefore, without pairing a Bluetooth device with any mobile phone, the Bluetooth device is useless and the Bluetooth device itself is not sufficient to be used for unfair means during the examination. At best, it may be a case of violation of general guidelines of the competitive examination which prohibits carrying any electronic device, Bluetooth, calculator etc. in the examination hall. There is general allegation of recovery of Bluetooth devices from the possession of the petitioner but nowhere in the F.I.R, it was mentioned that said Bluetooth devices were being used during the examination. The petitioner is student having clean antecedents and keeping the petitioner in incarceration



for a longer period will ruin the future career of the petitioner. The petitioner is languishing in custody since 15.05.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedents. Moreover, other similarly situated co-accused person has been granted privilege of bail by a coordinate Bench of this Court vide order dated 20.07.2023 passed in Cr. Misc. No. 42930 of 2023.

Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner and submitted that petitioner was caught red handed with Bluetooth devices which was to be used in the examination.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram/concerned Court in



connection with Sasaram (Mufassil) P.S. Case No. 247
of 2023.

(Sunil Kumar Panwar, J)

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