

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45695 of 2023

Arising Out of PS. Case No.-334 Year-2023 Thana- HAJIPUR SADAR District- Vaishali

Chandan Kumar S/O Lal Babu Rai R/O Village- Gopalpur Mahua Rasulpur
Fateh, Ps. Mahua, Dist. Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nityanand

For the Opposite Party/s : Mr.Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-08-2023 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, 120(B) of the Indian Penal Code and Section 3/4 of the Bihar Examination Act, 2010.

The prosecution case as per F.I.R is that in the Central Selection Board (Constable Recruitment) Examination, the petitioner was caught with Bluetooth device, headphone wire, samsung pad, mobile phone 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 device and other articles from the possession of the petitioner but nowhere in the F.I.R, it was mentioned that these articles were used as 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 and other articles from the possession of the petitioner but nowhere in the F.I.R, it was mentioned that said articles were being used during the examination. The petitioner is student having clean antecedent 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.



Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioners and submitted that petitioner was caught red handed with Bluetooth and other 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, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 334 of 2023.

(Sunil Kumar Panwar, J)

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