

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46820 of 2023**

Arising Out of PS. Case No.-589 Year-2023 Thana- KHAJANCHI HAT District- Purnia

Ravishankar Kumar S/O Anuj Yadav R/O Village- Okhariya, Ps. Kouwakol,
Dist. Nawada

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 01-08-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

2. The petitioner seeks bail in connection with K. Hat (Madhubani) P.S. Case No. 589 of 2023 registered for the offence under Sections 419, 420, 468/34, 120-B of the Indian Penal Code, under Section 66-D of the Information Technology Act (in short 'I.T. Act') and under Section 10 of the Bihar Conduct of Examination Act.

3. The accused/petitioner is named in the F.I.R. and is in custody since 15.05.2023.

4. The allegation against the petitioner is to adopt unfair means while appearing in Police Constable Recruitment Examination for Excise Department, Government of Bihar.

5. Learned counsel appearing on behalf of the



petitioner submitted that the allegation of cheating cannot be gathered from entire narration of the F.I.R. and the maximum allegation which appears against this petitioner is that he found in possession of one Bluetooth device and one mobile phone. It is submitted that out of innocence petitioner took all these devices with him as it appears costly but nothing appears during the course of investigation which may suggest, *prima facie*, that all these electric equipments were used for adopting unfair means, as alleged. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.

7. Considering the facts and circumstances as mentioned above and by taking note of the fact as allegation is limited to carry Bluetooth device and one mobile phone without having any specific allegation to use these electric gadgets for unfair means coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 15.05.2023, accordingly, above named petitioner is directed to be released on bail in connection with K. Hat (Madhubani) P.S. Case No.



589 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purniya/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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