

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49639 of 2022

Arising Out of PS. Case No.-128 Year-2022 Thana- VISHNUPAD District- Gaya

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1. Nitish Kumar S/O Virendra Yadav Resident Of Village- Meharbanchak, P.S.- Mufassil, District- Gaya.
 2. Uttam Kumar S/O- Ravindra Prasad Resident Of Village- Manjhiawar, P.S.- Konch, District- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Syed Asgher Najmi

For the Opposite Party/s : Mr.Bharat Bhushan App,156

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 01-02-2023 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners have filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 420/34 of the Indian Penal Code and Section 10 of the Bihar Conduct of Examination Act.

The prosecution case in nutshell is that the examination of Power Electronics & Dives and Environmental Engineering has been leaked before conducting the examination. It is alleged that above



question papers have been sent by the petitioners to social media.

It is submitted by learned counsel for the petitioners that the petitioners are innocent and they have committed no offence. They have falsely been implicated in the present case. It is also submitted that petitioners are languishing in judicial custody since 17.06.2022. It is further submitted that in the entire F.I.R., the time of occurrence has not been mentioned, so it is dubious to pertain the time of frisking. It is also submitted that seizure list was prepared after the examination. Petitioners were not caught in using unfair means or cheating. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and



circumstances of the case, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Vishnupadh P.S. Case No. 128 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Gaya.

(Sunil Kumar Panwar, J)

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