

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6164 of 2024

Arising Out of PS. Case No.-274 Year-2023 Thana- KHODAWANDPUR District- Begusarai

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Ram Bablu Kumar @ Ram Bablu Yadav @ Ram Babu Kumar @ Ram Babu Yadav, (M), aged about 22 years, Son of Nakshatra Yadav, Resident of Village-Dihi Ward No.2, P.S.-Kodawandpur (Chhorai O.P.), Distt.-Begusarai

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 7551 of 2024

Arising Out of PS. Case No.-274 Year-2023 Thana- KHODAWANDPUR District- Begusarai

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Bittu Kumar, Male, aged about 25 years, Son of Naveen Ram Resident of Village - Sekha Tola Ekamba Ward No. 07, P.S.-Chhaurahi O.P. (Khodawandpur), District-Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 6164 of 2024)

For the Petitioner/s : Mr. Randhir Kumar No.1, Advocate.

For the Opposite Party/s : Mr. Pramod Kumar Pandey, A.P.P.

(In CRIMINAL MISCELLANEOUS No. 7551 of 2024)

For the Petitioner/s : Mr. Fakhruddin Ali Ahmad, Advocate.

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 13-02-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Khodawandpur (Chourai O.P.) P.S. Case No. 274 of 2023 instituted for the offence under Sections 419, 420, 467, 468,



471, 120(B) read with 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioners were involved in providing undue advantage through electronic devices to the candidates of Constable Examination.

4. It has been submitted on behalf of the petitioners' counsel that the petitioners are in custody since 28.09.2023. Petitioners have no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioners' counsel that petitioners have been falsely implicated in the present case. He further submits that from bare perusal of the F.I.R., it is evident that the electronic devices like blue-tooth, walkie-talkie and diary etc. have been recovered from the possession of the co-accused namely, Sunil Kumar. No incriminating article was recovered from the conscious possession of the petitioners. He further submits that the similarly situated co-accused has already been granted regular bail by the Co-ordinate Bench of this Court vide order dated 08.02.2024 passed in Cr. Misc. No. 4478 of 2024.

6. Learned A.P.P. for the State has vehemently



opposed the prayer for grant of bail to the petitioners.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Khodawandpur (Chourai O.P.) P.S. Case No. 274 of 2023 subject to the following conditions:

(Rudra Prakash Mishra, J)

Nilmani/-

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