

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4141 of 2024

Arising Out of PS. Case No.-765 Year-2023 Thana- PATRAKARNAGAR District- Patna

Kumar Pushpak S/O Late Parmeshwer Prasad R/O Villag- Ruidhasa, Kali Mandir, P.S And Distt.- Kishanganj, Bihar At Present- Geeta Bhawan, Bhabha Colony, P.S- Patrakar Nagar, Distt.- Patna.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/S

With

Criminal Miscellaneous No. 7123 Of 2024

Arising Out Of Ps. Case No.-765 Year-2023 Thana- Patrakarnagar District- Patna

Vikash Shankar S/O Uma Kant Mandal Resident Of Bhirha, P.O.- Amarpur, Ps. Medani Chauki, Dist. Lakhisarai, Bihar.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/S

Appearance :

(In CRIMINAL MISCELLANEOUS No. 4141 of 2024)

For the Petitioner/s : Mr. Nishant Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

(In CRIMINAL MISCELLANEOUS No. 7123 of 2024)

For the Petitioner/s : Mr. Prince Kumar Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

5 08-10-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners are in custody in a case registered under Sections 419, 420, 467, 478, 471 and 120(B) of the Indian Penal Code.



3. As per allegation in the FIR, petitioners along with other accused persons are involved in setting of different competitive examination by using unfair and illegal means.

4. Learned counsel for the petitioners submits that petitioners have falsely implicated in this case. He next submits that nothing has been recovered from their conscious possession of the petitioners which could correlate them to this case and nobody has complaint against the petitioners in respect of cheating. Petitioners have got clean antecedent and they are in custody since 02.11.2023 and 03.10.2023 respectively. He next submits that similarly situated co-accused, namely, Sonu Kumar @ Sonu Kumar Sah @ Shaw has been granted bail by this Court passed in Cr. Misc. No. 8568 of 2024.

5. Learned APP for the State opposes the prayer for bail of the petitioners.

6. On perusal of the first information report, case diary, seizure list as well as impugned order dated 06.12.2023 and 08.01.2024, it appears that FIR registered against eight named accused persons including the petitioners and other unknown persons on the basis of written report of Police Sub Inspector, Alok Kumar and both the petitioners were arrested in the coaching premises of SRM IT Solution and several



incriminating materials were seized from the locker of said SRM IT Solution. Considering the period of custody of the petitioners which is of about one year also considering the other materials available on record, I am inclined to grant bail to the petitioners.

7. Accordingly, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Patna Sadar in connection with Patrakar Nagar P.S. Case No. 765 of 2023.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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