

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14318 of 2024

Arising Out of PS. Case No.-11 Year-2023 Thana- Cyber P.S. District- Lakhisarai

Himanshu Kumar Son of Binod Yadav R/o Village- Abgil, P.S.- Medni Chowki, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kr. Thakur, Adv.

Ms. Vaishnavi Singh, Adv.

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 19-04-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Cyber P.S. Case No. 11 of 2023 registered for the offences punishable under Sections 419, 420, 120(B) of the Indian Penal Code and Section 66D of the Information Technology Act.

3. As per allegation made in the F.I.R., in the written examination of Constable Recruitment Examination conducted by the Central Selection Board (Constable Recruitment) Bihar, Patna, the accused persons including the petitioner was active at different examination centers at Lakhisarai to provide answers of questions to the candidates during examination after taking money and admit card from lots of examinees by an organized



gang of Mednichowki and Surajgarha.

4. Learned counsel for the petitioner submits that petitioner was not arrested from the spot and, as such, save and except a vague suspicion, there is nothing to connect the petitioner with the alleged occurrence. Nothing incriminating has been recovered from the conscious possession of the petitioner. He further submits that search and seizures were made at three different places but, not a single independent person was made a witness of the alleged search and seizure. Learned counsel for the petitioner further submits that the petitioner was on duty on 02.10.2023 in Delhi and, thus, the petitioner was not present at the alleged place of incident. The petitioner has got no criminal antecedent. Learned counsel for the petitioner submits that the co-accused Abhiraj @ Abhiraj Kumar has been granted bail by this Court itself vide order dated 19.02.2024 passed in Cr. Misc. No. 8415 of 2024.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bonds of Rs.10,000/-
(Rupees Ten Thousand) with two sureties of the like amount
each to the satisfaction of the learned court below where the
case is pending/successor court in connection with Cyber P.S.
Case No. 11 of 2023, subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

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