

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17404 of 2024

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

Sunil Kumar Son of Ram Pukar Yadav Resident of Village Dihi Ekamba Ward
No. 02, Police Station Khodawandpur Chhaurahi O.P. District Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Kumar, Adv.

For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 15-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Khodawandpur (Chaurahi O.P.) P.S. Case No. 274 of 2023
instituted for the offences under Sections 419, 420, 467, 468,
471, 120(B) read with Section 34 of the Indian Penal Code.

3. As per prosecution case, the allegation against the
petitioner is of being engaged in getting the recruitment by
illegal means, forgery and cheating. It is alleged that the
recruitment is conducted by Central Selection Council (Sipahi
Bharti) in police and in lieu of getting the recruitment by illegal
means, they are charging substantial amount from the
candidates.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner rather the recovery have been made from the joint house of the petitioner and co-accused Vivek Kumar Singh though some mobiles have been recovered from the possession of the petitioner and co-accused persons. The petitioner has no concern with the recovered article. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail application. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner is languishing in judicial custody since 28.09.2023. Charge-sheet has been submitted in this case.

5. Learned counsel for the petitioner again submits that the co-accused Ram Bablu Kumar and Bittu Kumar have been granted bail this Court vide order dated 13.02.2024 passed in Cr. Misc. No. 6164 of 2024 and another analogous case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties



and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent coupled with the fact the prayer for bail being based on parity, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Khodawandpur (Chaurahi O.P.) P.S. Case No. 274 of 2023.

(Rudra Prakash Mishra, J)

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