

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22905 of 2024**

Arising Out of PS. Case No.-986 Year-2023 Thana- LAKHISARAI District- Lakhisarai

Mithun Kumar S/o Paltan Paswan R/o vill - Sanhauli, P.S. - Sangrampur,
Distt. - Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ankit Kumar Jha, Advocate
For the Opposite Party/s : Mr.Choubey Jawahar, APP

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

ORAL ORDER

2 02-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. Learned counsel for the petitioner is permitted to
make necessary corrections in paragraph Nos. 3 and 15 of the
present bail application during course of the day.

3. The petitioner seeks bail in connection with
Lakhisarai P.S. case No. 986 of 2023 instituted for the offences
under Sections 420 and 34 of the Indian Penal Code and
Section 66D of the I.T. Act.

4. Prosecution case, in short, is that all the named
accused persons are the members of examination setter of Bihar
Police Additional Services Commission and the petitioner was



arrested red handed in the Rukmani Hotel, Lakhisarai by the police with electronic gadgets which were being used at the examination center. It is further alleged that the accused persons also confessed their guilt.

5. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel further submitted that petitioner has got no concern with the alleged recovery of electronic gadgets. Learned counsel further submitted that nothing incriminating has been recovered from the conscious possession of the petitioner rather recovery has been made from the possession of co-accused Dhiraj Kumar, who has already been granted bail by this Court vide order dated 20.03.2024 passed in Cr. Misc. No. 20838 of 2024. It has been submitted on behalf of the petitioner that the petitioner is in custody since 18.12.2023 and has no criminal antecedent.

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

7. Considering the aforesaid facts and circumstances of the case, clean antecedent as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.



8. Let the petitioner 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 Lakhisarai P.S. case No. 986 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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