

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34532 of 2024

Arising Out of PS. Case No.-673 Year-2023 Thana- SAHARSA SADAR District- Saharsa

Suman Kumar @Kumar Son Of Rambaran Yadav Village - Bhatouni, Ward No. 07, Vtc Bhatauni Po- Simri, Bhaktiarpur, Ps- Bhaktiarpur, Sub Dist- Simri Bhaktiarpur, Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhakar Nath Rai, Advocate

For the Opposite Party/s : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 09-08-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Saharsa Sadar P.S. case No. 673 of 2023 instituted for the offences under Sections 420, 467, 468, 471, 414, 120B of the Indian Penal Code and Sections 66(C), 66(D) of the I.T. Act and Section 10 of the Bihar Examination Conduct Act, 1981.

3. Prosecution case, in short, is that accused persons iwas indulged in illegal activities pertaining to passing out the examinations for the recruitment of constables after taking handsome amount from the appearing candidates. It is further alleged that several electronic devices and documents were recovered from the possession of the co-accused.



4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. No incriminating article has been recovered from the conscious possession of the petitioner. It is submitted that from perusal of the FIR, it appears that one Suraj Kumar @ Niraj Kumar is the main accused, who used to take amount for providing help to get employment in selection of police constables. Petitioner claims clean antecedent. It is submitted that other co-accused has been granted regular bail by this Court *vide* order dated 03-04-2024, passed in Cr. Misc. No. 15813 of 2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, let 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 Saharsa Sadar P.S. case No. 673 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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