

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61347 of 2024

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

Amit Kumar Son of Mr. Bhagwan Ram R/V- Village- Nista, P.S.- Surajgarha,
District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Vaishnavi Singh, Adv.

For the Opposite Party/s : Mr.Parmeshwar Mehta, APP

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

ORAL ORDER

2 23-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Lakhisarai P.S. Case No. 986 of 2023 registered for the offences punishable under Sections 420/34 of the Indian Penal Code and Section 66D of the Information Technology Act.

3. As per prosecution case, the police, on receipt of secret information, reached at the Rukmini Hotel and apprehended three persons out of which co-accused Dhiraj Kumar allegedly confessed that he along with his brother Amit Kumar (the petitioner) and one Satyam Kumar help the students who were appearing in Bihar Police Subordinate Service Commission Examination by giving them answer through



receiver Bluetooth device as well as walky-talky for which they charge the students Rs. 1 lac each.

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. Learned counsel for the petitioner further submits that the petitioner himself is a candidate in the present examination and thus, there is no question of helping the others in the said examination. The petitioner has got no concern with the alleged recovery of electronic gadgets. The name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused Dhiraj Kumar and except this, there is nothing against the petitioner which connects the petitioner with the present case. The alleged co-accused Dhiraj Kumar has already been granted bail by this Court vide order dated 20.03.2024 passed in Cr. Misc. No. 20838 of 2024. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present anticipatory bail application.

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



6. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioner, 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 Lakhisarai P.S. Case No. 986 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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