

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71616 of 2023

Arising Out of PS. Case No.-82 Year-2021 Thana- KHAGARIA District- Khagaria

Dheerendra Kumar Son Of Dayanand Patel Resident Of Village - Dhunima
Ward No.7, Kothia, P.S. - Khagaria, District - Khagaria

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Choudhary, Adv.

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 08-01-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Supplementary Khagaria (Muffasil) P.S. Case No. 82 of 2021 dated 24.01.2021 registered for the offences punishable u/ss 419, 420 and 120B of the Indian Penal Code and u/ss 3/4/5 of the Examination Control Act.

3. As per the prosecution case, during the Bihar Home Guard Corps Examination, a commotion erupted in room no. 2 of the main hall. Upon inquiry, candidates revealed that certain individuals were engaged in cheating. The videographer was allegedly providing cheat notes and one candidate claimed that another candidate was allowed to go out with the question and



answer booklet and to re-enter the exam later. The center superintendent initially professed ignorance. Subsequently, SDM, Khagaria was called through the phone. Following this, approximately 10-20 candidates fled away from the campus premises. Thereafter, ADM and SDM lodged the FIR and both phone and camera of videographer were seized.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner is only examinee and nothing has been recovered from the possession of the petitioner. It is further submitted that the petitioner has no concern with the alleged offence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Khagaria in



connection with Supplementary Khagaria (Muffasil) P.S. Case
No. 82 of 2021, subject to conditions as laid down under section
438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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