

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.387 of 2024

Arising Out of PS. Case No.-2 Year-2019 Thana- BIHARIGANJ District- Madhepura

Sujit Kumar Son of Brahmanand Jha, Resident of Village-Bishnupur Dhanraj,
P.S.- Kurhni, District- Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Dr. Bipin Chandra, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 19-03-2024 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Bihariganj P.S. Case No.2 of 2019 registered under Sections 419, 420, 406 and 120-B of the Indian Penal Code.

3. Allegation against the petitioner is to involve in illegal selling of examination form along with other co-accused persons for appointment as teacher in the government school of Bihariganj and Udakishunganj, where each form was alleged to be sold against cash of Rs.40/-

4. It is submitted by learned counsel for the petitioner that name of petitioner surfaced in this case on



the basis of confessional statement of apprehended co-accused persons, where in furtherance thereof, no incriminating materials appears recovered/surfaced during the course of investigation, till now. It is submitted that the allegation is only to reproduce the examination form in computer format, where it is limited only to publish the computerized format of "application form" against cash of Rs.40/- without having any further allegation of petitioner's involvement. It is also submitted by learned counsel that the co-accused persons were apprehended by private persons due to local disputes/business rivalry, who were engaged in same profession on the instance of informant, who is none but Block Education Officer of Bihariganj, Madhepura. It is also submitted that the petitioner is a man of clean antecedent.

5. Learned APP opposes the prayer of bail.

6. In view of the aforesaid factual submissions and by taking note of fact as name of petitioner appears on the basis of confessional statement of apprehended co-accused, where petitioner was alleged to have been apprehended by



private persons for selling application form for appointment as block teacher, without having any recovery of any incriminating substance, accordingly, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender in the court below within a period of four weeks, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Madhepura in connection with Bihariganj P.S. Case No.2 of 2019, subject to the conditions as laid down under Section 438(2) of the CrPC.

(Chandra Shekhar Jha, J.)

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