

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85673 of 2023

Arising Out of PS. Case No.-387 Year-2023 Thana- BIBHUTIPUR District- Samastipur

Manish Kumar @ Santosh SON OF RAMCHANDRA SINGH R/O
VILLAGE- KON BAJIDPUR, WARD NO. 07, P.S.- KARPURIGRAM,
DIST.- SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Kumar

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under Sections 419, 420, 467, 468, 471, 120-B and 34 of the Indian Penal Code.

3. It is a case of cheating in constable recruitment examination through electronic devices by the petitioner along with other accused persons.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case only on the basis of confessional statement of co-accused Santosh Kumar @ Guddu, which has no evidentiary value in the



eye of law. He was not arrested from the place of occurrence. Nothing incriminating article has been recovered from his conscious possession. Provision of Section 100 Cr.P.C. has not been followed by the police personnel while preparing the seizure list. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Petitioner is languishing in judicial custody since 01.10.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Rosera at Samastipur in connection with Bibhutipur P.S. Case No.387 of 2023.

(Sunil Kumar Panwar, J)

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