

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85509 of 2023

Arising Out of PS. Case No.-642 Year-2023 Thana- SAHPUR District- Patna

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Sudhir Kumar Chaudhary @ Sudhir Kumar Choudhary S/O Bhagwan Choudhary @ Chaudhary Village- Nouranga, Ps. Beriya @ Bairiya, Dist. Balliya @ Baliya (U.P.) And At Present Residing At Tarachak, Ps. Danapur, Dist. Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ramakant Singh

For the Opposite Party/s : Mr.Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is languishing in custody in a case registered for the offences punishable under Sections 420, 467, 468, 469, 471, 34 of the Indian Penal Code and Sections 66(C) and 66(D) of the I.T. Act.

The allegation against co-accused Kushnath Kumar and Sudhir Kumar Mehra is that they were collecting papers and money from the persons for passing out in the Constable Recruitment Examination.



From their possessions, education certificates, Aadhar Cards and other articles of the students who were to appear in the Constable Examination were recovered.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. The petitioner is not named in the F.I.R nor he was apprehended from the spot. The petitioner has been roped in the present case only on the confessional statement of co-accused Kushnath Kumar which has no evidentiary value in the eye of law. Moreover, nothing has been recovered from the conscious possession of the petitioner. The petitioner is languishing in custody since 01.10.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period



under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Danapur in connection with Shahpur P.S. Case No. 642 of 2023.

(Sunil Kumar Panwar, J)

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