

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14606 of 2025

Arising Out of PS. Case No.-6 Year-2025 Thana- GARDANIBAG District- Patna

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1. Shiv Pujan Kumar Son of Birju Yadav Resident of Village- Amar Bigha, P.S.- Belaganj, Distt.- Gaya
 2. Satish Kumar Son of Daroga Singh Resident of Village- Piro, P.S.- Piro, Distt.- Bhojpur at Ara
 3. Chhotu Kumar Son of Raj Kumar Mandal Resident of Village- Shaktinagar, P.S.- Belhar, Distt.- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 02-05-2025 This case is taken up for out of turn hearing on the mentioning made by the learned counsel for the petitioners that one of the petitioner, namely, Chhotu Kumar's marriage is to be solemnized on 08.05.2025.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners seek regular bail in connection with Gardanibagh P.S. Case No. 06 of 2025, registered for the offences punishable under Sections 318(4), 338, 336(3), 340(2) and 112(2) of the B.N.S., 2023.

4. The prosecution case is to the effect that during the Central Selection Board Examination being conducted for the appointment to the post of Constable, the petitioners were found



to be committing fraud and they had used another person in their place in order to secure job and during the biometric examination because of the differences found in the photo and thumb impression, the petitioners were apprehended.

5. The learned counsel for the petitioners submits that the petitioners are innocent and they have falsely been implicated in this case as they are the bona-fide students for examination which was being conducted for appointment to the post of Constable. The petitioners have clean antecedent and they are in custody since 04.01.2025.

6. Learned APP for the state has vehemently opposed the prayer for bail of the petitioners and stated that the petitioners by such conduct are trying to defame the state as well as it affects the other candidates adversely and hence should not be released on bail.

7. Considering the facts and circumstances of the case and taking into account the fact that the petitioners are students who are appearing on the examination conducted for the appointment to the post of Constable and taking into account that the petitioners have clean antecedent and they are in judicial custody since 04.01.2025, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten



thousand) each with two sureties of the like amount each to the satisfaction of the court of learned Judicial Magistrate, 1st Class, Patna in connection with Gardanibagh P.S. Case No. 06 of 2025 subject to the the following conditions:-

(I) The S.S.P./S.P, Patna is directed to verify the fact of marriage at the house of the petitioner no.3 and if it is found that there is no marriage of petitioner no.3 fixed for 08.05.2025, the same shall be reported to the learned Court below and the learned Court below shall take immediate steps for cancellation of the bail which is granted to the petitioner no.3.

(ii) One of the bailors will be a close relative of the petitioners.

(iii) The petitioners will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iv) In case the prosecution is found the petitioners' involvement in similar nature of allegation after his release and in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the



petitioners will be liable to be cancelled by the
Court concerned.

(Sourendra Pandey, J)

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