

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17902 of 2025

Arising Out of PS. Case No.-730 Year-2024 Thana- GARDANIBAG District- Patna

Priyatam Kumar Son of Lalan Prasad Mehta @ Lalan Mehta Resident of
village- Gamhariya (Gamharia), PS- Akhodhigola, Dist- Rohtas
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 18224 of 2025

Arising Out of PS. Case No.-730 Year-2024 Thana- GARDANIBAG District- Patna

Upendra Kumar S/o- Bhola Prasad Yadav Resident of Village- Kishunpura
PS- Atri Dist- Gaya
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 19203 of 2025

Arising Out of PS. Case No.-730 Year-2024 Thana- GARDANIBAG District- Patna

Alok Kumar S/o Ramji Prasad R/o Village- Jhikkadhya, Post- Makhdumpur,
PS- Makhdumpur, Distt.- Jehanabad
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 17902 of 2025)
For the Petitioner/s : Mr.Sudhanshu Shekhar, Advocate
For the Opposite Party/s : Mr.Parmeshwar Mehta, APP
(In CRIMINAL MISCELLANEOUS No. 18224 of 2025)
For the Petitioner/s : Mr.Sudhanshu Shekhar, Advocate
For the Opposite Party/s : Mr.Parmeshwar Mehta, APP
(In CRIMINAL MISCELLANEOUS No. 19203 of 2025)
For the Petitioner/s : Mr.Sudhir Kumar Sinha, Advocate
Mr. Pushpendra Singh, Advocate
For the Opposite Party/s : Mr.Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 16-04-2025 Since all the three petitions arise out of Gardanibagh



P.S. Case No. 730 of 2024, as such, they have been taken up together and are being disposed of by this common order.

2. Heard learned counsel for the petitioners and learned APP for the State.

3. In the present case, the petitioners seek bail in connection with Gardanibagh P.S. Case No. 730 of 2024 registered for the alleged offences under Sections 318(4), 338, 336(3), 340(2), 112(2) of B.N.S. and Sections 10, 11 of Bihar Public Examination (Prevention of Unfair Means) Act.

4. As per prosecution case, the petitioners adopting illegal means and taking help of co-accused persons qualified in the written examination for selection of Constables. Subsequently, during physical efficiency test, the fact came to the notice of the authorities that the petitioners took help of the outsiders who wrote the examination on their behalf and the petitioners did not write their examination.

5. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The police forcibly taken confession of the petitioners and no document either identity card or Aadhar card or photograph of the co-accused persons have been recovered from the possession of the petitioners. The petitioners are having clean



antecedent. The petitioners are in custody since 01.01.2025, 01.01.2025 and 20.12.2024, respectively and charge sheet has been submitted.

6. Learned APP vehemently contends that the petitioners were caught red handed and someone else wrote examination on their behalf. Learned APP further submits that the petitioners violated the sanctity of the examination process and got other persons to write examination for them and they were helped by borrowed scholars in writing the examination on their behalf.

7. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the clean antecedent of the petitioners, period of their custody and submission of charge sheet, the petitioners above named are directed to 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 learned A.C.J.M. XIII, Patna /concerned Court in connection with Gardanibagh P.S. Case No. 730 of 2024, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

(i) One of the bailors will be a close



relative of the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the court below.

(iii) In case of absence on three 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.

(Arun Kumar Jha, J)

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