

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21037 of 2025

Arising Out of PS. Case No.-9 Year-2025 Thana- GARDANIBAG District- Patna

Madhukant Kumar S/o Rajkishor Singh Resident of Village- Navtoliya, Ward
No 6, Beni, PS- Chautham, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rahul Singh, Advocate
For the Opposite Party/s : Mr.Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 09-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Gardanibagh P.S. Case No. 9/2025 registered for the offences
under Sections 318(4), 338, 336(3), 340(2), 112(2) of the
B.N.S.S. and Sections 10 and 11 of the Bihar Public
Examination (Prevention of Unfair Means) Act, 2024.

3. The prosecution case in nutshell is that during the
Central Selection Board Examination being conducted for the
appointment to the post of Constable, the petitioner was found
to be committing fraud and he had used another person in his
place in order to secure job and during the biometric
examination because of the differences found in the photo and
thumb impression, the petitioner was apprehended.



4. Learned counsel for the petitioner submits that petitioner is innocent and falsely been implicated in this case as he is a *bona-fide* student of the examination which was being conducted for appointment to the post of Constable. It is lastly submitted that the petitioner has clean antecedent and is languishing in custody since 05.01.2025.

5. Learned counsel for the State has opposed the prayer for bail of the petitioner and submits that the petitioner by such conduct is trying to defame the State as well as it affects the other candidates adversely and hence, he should not be released on bail.

6. Considering the aforesaid facts and circumstances of the case and taking into account that the petitioner is a student who is appearing in the examination conducted for the appointment to the post of Constable and taking into account that the petitioner has clean antecedent and he is in judicial custody since 05.01.2025, let the petitioner be enlarged on bail 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 A.C.J.M.-XIII, Patna in connection with Gardanibagh P.S. Case No. 9/2025 subject to the conditions:-

a. One of the bailors of the petitioner shall be his



close relative.

- b. The petitioner shall remain physically present in Court on each date of the trial.
- c. In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to the cancelled by the court concerned.
- d. The Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the aforementioned order shall not be delayed for purpose of or in the name of verification.

(Sourendra Pandey, J)

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