

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20071 of 2025

Arising Out of PS. Case No.-48 Year-2025 Thana-GARDANIBAG District- Patna

Mahadev Kumar S/o Sri Shyam Sundar Yadav R/o ward no. 11, Hanuman Nagar, P.s.- sour Bazar, P.O. - Chandour (Chanaur), Distt.- Saharsa, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Pratyush Kumar, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 23-04-2025 Heard learned counsel for the petitioner and learned APP for the State.

02. In the present case, the petitioner seeks bail in connection with Gardanibagh P.S. Case No. 48 of 2025, dated 17.01.2025 registered for the alleged offences under Sections 318(4), 338, 336(3), 340(2) and 112(2) of Bharatiya Nyaya Sanhita, 2023 and Sections 10 and 11 of the Bihar Public Examinations (Prevention of Unfair means) Act, 2024.

03. As per prosecution case, petitioner was the candidate in Constable Examination being conducted by the State Government and allegation against the petitioner is that in place of the petitioner, some other person appeared and wrote the examination.

04. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. Learned counsel further submits that investigation in the case is complete and charge-sheet has been submitted and there is no requirement of the petitioner for custodial interrogation. The petitioner undertakes to appear on each and every date before the learned trial court and would not hamper the trial in any manner. The petitioner is in custody since 18.01.2025. The petitioner is having clean antecedent.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner and his clean antecedent along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Patna/court concerned in connection with Gardanibagh P.S. Case No. 48 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

(i) One of the bailors will be a close relative of



the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, without fail.

(iii) In case of absence of even on one date or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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