

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22699 of 2025

Arising Out of PS. Case No.-723 Year-2024 Thana- GARDANIBAG District- Patna

Raushan Kumar son of Akhilesh Chaudhary village- Tehta, Chak Dhorha,
Kurtha, P.S.- Makhdumpur, District -Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Dubey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 01-05-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Gardanibagh P.S. Case No. 723/2024 registered on 27.12.2024 for the offenses punishable under Sections 318(4), 338, 336(3), 340(2), 112(2) of the B.N.S, 2023 and Section 10 of the Bihar Conduct of Examinations Act, 1981 and Section 11 of the Bihar Public Examinations (Prevention of Unfair Means) Act, 2024.

3. As per the allegations made in the F.I.R., four persons have been named as accused in the present case, including the petitioner. It is alleged that the apprehended



accused person disclosed the name of the petitioner, stating that he, after receiving an advance payment of ₹50,000/-, fraudulently ensured the success of a candidate in the written examination by appearing as a scholar on his behalf.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is completely unaware of the alleged incident and has no connection whatsoever with the same. It is further submitted that except for the confessional statement of a co-accused and mere suspicion, there is no substantive evidence against the petitioner. The petitioner has a clean antecedent.

5. Learned APP for the State vehemently opposes the prayer for bail and submits that the petitioner has been involved in impersonating candidates by appearing in examinations on their behalf as a "scholar".

6. In the background of the facts and circumstances of the case, this Court is of the firm view that such unlawful practices in examinations are rampant in the State of Bihar. Considering the allegation that the petitioner played the role of a scholar to facilitate the fraudulent success of a candidate, this Court is not inclined to grant bail to the petitioner at this stage. Accordingly, the prayer for bail of the petitioner in connection



with Gardanibagh P.S. Case No. 723 of 2024, pending before
the learned A.C.J.M., XIII, Patna, is hereby rejected.

(Dr. Anshuman, J)

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