

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43978 of 2025

Arising Out of PS. Case No.-369 Year-2015 Thana- COMPLAINT CASE - DANAPUR
District- Patna

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Dhiraj Kumar Mishra @ Dheeraj Kumar S/O Lakshmi Kant Mishra (Retd. Teacher) R/O Radha Niwas behind Urmila Public School, Auri More, Anpara, P.S- Anpara, District- Sonbhadra (Uttar Pradesh).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Srijan Infratech and Development Services Pvt. Ltd. (SIDS Pvt. Ltd.) 4, Community Centre, 1st Floor, Anupam Apartment, M.B. road, Saidulla Jab, P.S- Nebsarai, New Delhi. Local Office 3- C-34, Tapeswar Nagar, Arrah Gatden, Near Jagdeo Path, P.S- Rupaspur, Distt.- Patna represent through its Director Shir Subham Singh, aged about 43 male, S/O Pradeep Narayan Singh.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-07-2025 Heard the parties.

2. The petitioner apprehends his arrest in connection with Complaint Case No. 369C of 2015 instituted under Sections 406, 420 and 468 of the Indian Penal Code.

3. As per the prosecution story, the complainant alleged that his company was awarded a contract by BTAST for recruitment and selection of 'Uddeepikas' under the SWASTH Programme of Government of Bihar which is run by SAKSHAM. Altogether, 1731 'Uddeepikas' were to be recruited at various Gram Panchayat level in the District of Kishanganj,



Madhepura, Banka, Araria, Madhubani, Jamui, Purnea, Sheohar and Supaul of Bihar. Further, it was noticed that in the written test that was taken in the OMR Sheets, there were discrepancies. Accordingly, the RTI information was sought and it was found that the petitioner herein had inflated the marks of some of the candidates. Accordingly, the complaint in 2015 was filed.

4. Learned counsel for the petitioner submits that though the matter is of the year 2015 and the first anticipatory bail application was rejected in the year 2023, the second anticipatory bail application has been filed because the process under Section 82 of the Cr.P.C was annulled by the Competent Sessions Court.

5. Mr. Jitendra Kumar Singh, learned APP on the other hand submits that in a matter of the year 2015, ten years later and after the rejection of the first anticipatory bail, instead of approaching the Competent Court with bail petition, two years later, the second petition has been filed.

6. This Court is in complete agreement with the contention preferred by learned APP.

7. A reasoned order was passed in Cr. Misc. No. 20850 of 2022 (Dhiraj Kumar Mishra Vs. the State of Bihar & Anr.) on 16.01.2023. Two and half years later, instead of putting



in his appearance before the Competent Sessions Court, once again, the same prayer.

8. Accordingly, the same is dismissed.

(Rajiv Roy, J)

Vijay Singh/-

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