

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75039 of 2024

Arising Out of PS. Case No.-269 Year-2024 Thana- DUMRAO District- Buxar

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1. Manjit Pal S/O Late Ram Kumar Pal R/O Village- Dhanej, P.S- Kargahar, Distt.- Rohtas.
 2. Md. Samid Shah @ Md. Rasid Sah S/O Md. Kalim Shah @ Kashim Shah R/O Village- Dhanej, P.S- Kargahar, Distt.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shankar Pathak, Adv.
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 14-02-2025 Heard the parties.

2. The petitioners are in judicial custody in connection with Dumraon P.S. Case No.269 of 2024 for the alleged offence under section 112(2), 319(2), 338, 336(3), 340(2), 3(5) of the Nyaya Sanhita (BNS), 2023 lodged on 07.08.2024.

3. As per the prosecution story, the informant, on information that in connection with Bihar Constable Examination, those engaged in manipulating the examination are staying in the hotel, the Hotel, Anand Vihar was raided and upon searching the room, Chhotelal Chaurasia @ Chhotu and Raushan Chaurasia were found in the room. As the other examinees staying there started assembling, they were taken along with the belongings to the Police Station. upon search, number of documents/admit cards recovered/seized from Chhotelal Chaurasia @ Chhotu relating to



the examination. From Chhote Lal Chaurasiya and Raushan Chaurasiya, the allegation is that from their bag, a purse, Aadhar Card, a Debit Card in his name, mobile as such his belongings beside the motorcycle were recovered/seized. As both were in the same room, apprehended which followed the FIR.

4. Learned counsel for the petitioners submit that their names have cropped up in the confession of Chhote Lal Chaurasiya who was arrested from the Anand Vihar Hotel and despite the petitioners having no criminal antecedent, are now in custody since 08.08.2024. Further, Chhote Lal Chaurasiya has been extended relief in Cr. Misc. 78459 of 2024.

5. Learned APP opposes the prayer for bail submitting that Chhote Lal Chaurasiya who was apprehended from the hotel has named him.

6. Taking into account the aforesaid facts as also that the petitioners' names have come in the confession of Chhote Lal Chaurasiya who has been extended relief, as stated above, they are in custody since 08.08.2024 (para 16 of the petition) having no criminal antecedent, in that background, this Court is inclined to extend them the privilege of bail with conditions.

7. Let the petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned C.J.M., Buxar in



connection with Dumraon P.S. Case No.269 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for six months to mark their attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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