

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71005 of 2025

Arising Out of PS. Case No.-404 Year-2025 Thana- NOORSARAI District- Nalanda

Utpalkant Kumar S/O Praveen Jha @ Praveen Kumar Jha R/O village-
Parora, P.S.- Sahebpur Kamal, Dist- Begusarai, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 09-10-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with
Noorsarai P.S. Case No. 404 of 2025, instituted for the offences
punishable under Sections 318(2), 61(2) of the Bharatiya Nyaya
Sanhita, 2023, read with Section 10 of the Bihar Public
Examination Act.

3. The prosecution case, in short, is that the petitioner
was caught using a Bluetooth device and other electronic gadget
for cheating during constable recruitment examination.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. Learned counsel for



the petitioner also submits that the petitioner has not committed any offence as alleged in the FIR. It is next submitted that some hot talk took place between the petitioner and the invigilator due to which he has been falsely implicated in this case. The electronic devices have not been recovered from the conscious possession of the petitioner. The petitioner is in custody since 17.07.2025 and has got no criminal antecedent. Learned counsel for the petitioner further submits that other co-accused has been granted regular bail by this Court vide order dated 24.09.2025 passed in Cr. Misc. No. 68639 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail ***after framing of charge, if not already framed*** on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Noorsarai P.S. Case No. 404 of 2025, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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