

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.73615 of 2025**

Arising Out of PS. Case No.-335 Year-2025 Thana- BANKA District- Banka

1. Dilip Kumar S/O Bindeshwari Sharma Resident of Vill.- Sonbarsa Tola, Arajpur, P.S.- Chausa, Dist.- Madhepura.
2. Suraj Kumar S/O Makeswar Yadav @ Manakeshwar Yadav Resident of Vill.- Ward No. 13 Arajpur Vittha, P.S.- Chausa, Dist.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Dhananjay Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      10-11-2025                      Heard learned counsel appearing on behalf of the  
  
petitioners and learned APP appearing on behalf of the State.

2. The petitioners seek bail in connection with Banka P.S. Case No. 335/2025, registered for the offence under Sections 318(4), 161(2), 3(5) of BNS, 2023 & 10 Bihar Conduct as Examination Act, 1981 & 66 I.T. Act.

3. The accused/petitioners are named in the F.I.R. and are in custody since 22.07.2025.

4. As per FIR, petitioner alongwith other co-accused persons were involved in sending question paper outside examination hall by using electronic gadgets and also to get it solve outside and to get back with answer.



5. Learned Counsel appearing on behalf of the petitioners submitted that the recovery of mobile and earbuds not appears to be made from conscious physical possession of these petitioners, who themselves were candidates of Constable Recruitment Examination. It is pointed out that the seizure list also not appears supported by independent witnesses. While concluding the argument, it is submitted that investigation of this case is already completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence. Both petitioners claimed clean antecedent.

6. Learned APP opposed the prayer of bail.

7. Considering the aforesaid factual submissions and by taking note of fact as *prima facie* alleged electronic items not appears to be recovered from conscious physical possession of these petitioners, coupled with the fact that investigation of this case is already completed, where both petitioners being men of clean antecedent, remains in custody since 22.07.2025 are directed to be released on bail in connection with Banka P.S. Case No. 335/2025 on furnishing



bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned District & Additional Sessions Judge-IV, Banka/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C./Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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