

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90234 of 2024

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

Surya Prakash Pal @ Pintu Pal S/O Kripa Shankar Pal Village- Lalapaur, PS-
Kudra, District- Kaimur, Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No 13, Advocate
For the Opposite Party/s : Mr.Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-03-2025 Heard Mr. Manish Kumar No.13, learned counsel
for the petitioner and the State.

2. The petitioner is 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 Bhartiya Nyaya Sanhita (BNS), 2023 lodged on 07.08.2024 by the informant, Matendra Kumar.

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 thereafter 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 were recovered/seized from Chhotelal Chaurasia @ Chhotu relating to the examination. There is recovery of his bag, a purse, Aadhar Card, a Debit Card mobile from the co-accused beside seizure/recovery of motorcycle which followed arrest and the FIR.

4. Learned counsel for the petitioner submits he was neither apprehended at the spot nor anything incriminating has been rediscovered from his possession as co-accused Raushan Chaurasiya and Chhote Lal Chourasiya have named him which led to his implication in the present case. Learned counsel further submits that he is in custody since 30.08.2024 (para-4 of the petition). The last submission is that both the aforesaid accused have been granted bail in two bail applications vide Cr. Misc. No. 75865 of 2024 and Cr. Misc. No. 78459 of 2024 respectively and further it has been undertaken by the learned counsel for the petitioner that henceforth he shall not indulge in any such criminal activity failing which the State shall be at liberty to cancel the present bail bond, if granted relief.

5. Learned APP opposes the prayer submitting that those present in the room from whom the incriminating articles were seized have named this petitioner.



6. Though, the petitioner has criminal antecedent and the allegation that has come relates to manipulating the Bihar Constable Examination, those who are wealthy are/were influencing the examination to qualify in the examination at the cost of the genuine candidates who belong to lower strata of the society, burning their mid-night oil to qualify and better the condition of their family, the accused persons should ponder on this aspect.

7. Having recorded so, the fact remains that he has remained in custody since 30.08.2024, two of the accused persons on whose confession, his name has cropped has been granted relief, in that background, this Court is inclined to extend him the privilege of bail with conditions.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, 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/relative of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner 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 his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for next one year to mark his attendance;

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

(Rajiv Roy, J)

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