

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2817 of 2026

Arising Out of PS. Case No.-130 Year-2023 Thana- BHELDI District- Saran

Rameshwar Kumar son of Gurudayal Ray @ Guru Dayal Ray Resident Of
Village -Halkhoriyachak, Po- Katesar, Ps- Bihta, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jagjit Roshan, Advocate

For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-01-2026 Heard Mr. Jagjit Roshan, learned counsel for the

petitioner and Mr. Anil Kumar, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Bheldi P.S. Case No. 130 of 2023, F.I.R. dated 14.05.2025 for the offences punishable under Sections 419, 420, 467, 468, 471, 224, 34 of the Indian Penal Code and section 3/4 of Bihar Examination Conduct Act, 1981.

3. According to prosecution case, during search by the Magistrate and others, the petitioner and others were found using electronic device for gambling in examination.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in



the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. It appears from the F.I.R. that nothing has been recovered from the conscious possession of the petitioner and the petitioner has been made accused on the basis of suspicion in fact, the petitioner has deposited his electronic device before the examination in the office of Examination Centre in question and the informant has implicated only those persons who have submitted equipment before the concerned authority. Learned counsel further submits that if some equipment would have recovered from the possession of the petitioner, then the informant must arrested the petitioner at the place of occurrence (Examination Centre), apart from the aforesaid, from the seizure list it appears that informant has not mentioned the details of the electronic device which was recovered from the conscious possession of the co-accused persons and the similarly situated co-accused persons has been granted anticipatory bail by this Court vide order dated 18.01.2024 passed in Cr. Misc. No. 84792 of 2023 and another co-accused person, namely, Deepak Kumar Singh has been granted anticipatory bail by a coordinate Bench of this Court vide order dated 17.02.2024 passed in Cr. Misc. No. 5447 of 2024.



5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner and submits that petitioner carries one criminal antecedent of one case but fairly submits that the petitioner has been acquitted by Judgment dated 26.07.2025 by learned court below itself.

6. Considering the aforesaid facts and circumstances and the fact that nothing has been recovered from the conscious possession of this petitioner and also similarly situated co-accused person has been granted bail by this Court, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra or Successor Court, in connection with Bheldi P.S. Case No. 130 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS, 2023 and with other following conditions:

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and



on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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