

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39039 of 2026

Arising Out of PS. Case No.-63 Year-2026 Thana- Kadirganj P.S. District- Nawada

Sudhanshu Kumar S/O Vijay Pandit Resident of Village - Dasharathpur, P.S-
Giriyak, Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Ejaz Akhtar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 17-06-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Kadirganj P.S. Case No. 63 of 2026 dated 15.03.2026 registered for the offence punishable under Section/s 319(2)/318(4)/338/336(3)/3(5) of the B.N.S., 2023 and Section 10 of the Bihar Examination Act, 1981.

3. The prosecution case, in short, is that on 15.03.2026, during the Attendant (Peon) Recruitment Test at R.P.S. Convent Public School, Nawada, a candidate was allegedly caught using cheating material in the examination hall. The material was seized, and the FIR was lodged.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the



present case. It is next submitted that the petitioner is not named in the F.I.R. and his name has transpired in this case on the basis of the confessional statement of Dileep Kumar, Satveer Kumar and Bablu Kumar. It is the case of the petitioner that there is no specific allegation against him and he has been implicated in the present case solely on the allegation that he was supplying cheating materials and other documents while nothing incriminating is said to have been recovered from the constructive possession of the petitioner. Lastly, it is submitted that the petitioner is a person of clean antecedent.

5. Learned APP for the State opposes the prayer for grant of anticipatory bail.

6. Having heard learned counsel for the petitioner and considering the fact that the name of the petitioner has transpired in this case on the basis of confessional statement of the co-accused and nothing incriminating is said to have been recovered from the constructive possession of the petitioner and, as also, the petitioner having no criminal antecedent, let the petitioner, above named, be released on anticipatory bail in the event of his arrest or surrender before the court below within a period of six weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like



amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Kadirganj P.S. Case No. 63 of 2026, subject to the condition as laid down under Section 482(2) of the B.N.S.S. as well as the following conditions:

(i) One of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document / personal affidavit to show his/her bona fide;

(ii) the petitioner(s) 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(s) 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;

(iv) the petitioner(s) 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.

(Ajit Kumar, J)

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