IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62469 of 2026

CNR No. BRHC010905892026

Arising Out of PS. Case No.-221 Year-2026 Thana- BAKHARI District- Begusarai

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Dularchand Kumar Son of Nitiyanand Yadav R/o Village - Baburahi, P.S.- Sahebpur Kamal, District - Begusarai.

... ... Petitioner/s

Versus

The State of Bihar Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Aditya Kumar, Advocate
For the Opposite Party/s : Mr.Satya Nand Shukla, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY

ORAL ORDER

3 27-10-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 318 (4), 61 (2), 112 (1), 338, 336 (3), 340 (2) and 3 (5) of the BNS, Section 66 of the I.T. Act, Section 10 of BCE Act and Section 10 BPE (PuM) Act.

3. The case of the prosecution is that the police received information regarding an organized gang involved in cheating in competitive examination through electronic devices such as modified walkie-talkies, earpieces and receivers. Subsequently, the police raided the house of the co-accused, namely, Rajesh Roshan and recovered 19 walkies-talkies, 10

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receivers, mobile phones, laptop, I-Pad, blank cheques, original certificates and admit cards.

4. On interrogation, the co-accused, Rajesh Roshan allegedly disclosed the name of the petitioner stating that the gang charged Rs. 20,000 to Rs. 30,000 for devices and about Rs. 5 lakhs from candidates and supplied examination papers/answers through electronic means.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged in the FIR and has been falsely implicated in the present case and no incriminating material has been recovered from the conscious possession of the petitioners. It is submitted that the petitioner has had no proprietory concern with the room from which the seized items were recovered and the petitioner has had no dominion or control over the room. It is further submitted that no case under sections 318 (4), 338, 336 (3) and 340 (2) of the BNS is made out against the petitioner and the petitioner is in custody since 13.06.2026.

6. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

7. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on

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bail. The above named petitioner is directed to be released on bail in connection with Bakhri P.S. Case No. 221 of 2026 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai/concerned Court, subject to the condition that :-

(i) one of the bailors should be family members of the petitioner;

(ii) the petitioner will cooperate in the trial and will remain present on all dates personally or should be duly represented through his counsel and whenever required to be physically present by the Court, he should physically appear in Court on that date;

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

(Ashok Kumar Pandey, J)

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