IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63267 of 2026

CNR No. BRHC010905912026

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

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Rajesh Roushan Son of Suresh Pandit R/O Vill.- Jeetpur, P.S.- Bakhri, District- Begusarai

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate
Mr. Prabhat Kumar, Advocate
For the State : Mr. Ajay Kumar No.2, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 29-10-2026 Heard learned Senior Counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Bakhri P.S. Case No. 221 of 2026, lodged on 12/06/2026, for the offences punishable under Sections 1318(4), 61(2), 112(1), 338, 336(3), 340(2), 3(5) of the Bhartiya Nyaya Sanhita, 2023, under Section 66 of I.T. Act, 2000, under Section 10 of the Bihar Conduct of Examinations Act, 1981 and under Section 10 of the Public Examinations (Prevention of Unfair Means) Act, 2024, pending before the Court of C.J.M, Begusarai.

3. As per the prosecution, FIR has been lodged against 12 named accused persons including the present petitioner with

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allegation that from the petitioner's house the different electronic material has been recovered which used to be involved in the interpolation made in the examination conducted by the various organisation and different equipment of different companies including 19 walkie-talkies, earpiece, 20 receivers, laptops bank cheque, mobile phones and series of material and documents related to Central Selection Board have been recovered. It has also been alleged that the accused persons used to take contract in Rs.5,00,000/- and for providing the equipment they used to take rental money of Rs.20,000/- to Rs.30,000/- for a day and the said recovery of those materials have been made from the house of the petitioner.

4. Learned Senior Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that only and only on the basis of suspicion name of the petitioner has come in this case. He further submits that mere recovery of different equipments shall not be a ground that the petitioner is involved in commission of the offence. He further submits that whatever be the violation under the I.T. Act, all are bailable and maximum punishment is only up to three years. He further submits that the provisions of BNS is not attracted in the present case. Similarly, Bihar School

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Examination Act, 1981 imposes a minimum punishment. He further submits that the criminal antecedent of the petitioner is not clean as there is one criminal case pending against him and in the present case he is in custody since 13/06/2026 and after being arrested he has been ramanded on 24/06/2026 relating to similar nature of offence.

5. Learned APP for the State, on the other hand, opposes the prayer for bail of the petitioner and submits that the petitioner is involved in the present case as those equipments were provided by him on rent at the rate of Rs.20,000/- and Rs.30,000/- per day and the said gang who used to collect Rs.5,00,000/- from every candidate after completion. He further submits that the name of examination has been specified in the FIR i.e., Public Examination.

6. After hearing the parties, this Court is very much surprised that the SHO has not added on the performa of the FIR about the details of Public Examination (Prevention of Unfair Means) Act, 2024 whereas in the *fardbyan* the Section of the said Act has been added.

7. Upon perusal of the allegation made in the FIR, it transpires to this Court that the petitioner had provided all equipment for conduction of the illegalities in the Public

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Examination used to be conducted in Bihar and huge quantity of different equipments of different companies including 19 walkie-talkies, earpieces, 20 receivers, laptops, bank cheques, mobile phones and series of materials and documents related to Central Selection Board have been recovered and allegation of taking contract in Rs.5,00,000/- and for providing the equipment they used to take rental money of Rs.20,000/- to Rs.30,000/- for a day from each and every candidates after examination.

8. Considering the nature of allegation against the petitioner, this Court is not inclined to grant bail to the petitioner. Accordingly, the present bail application is hereby rejected.

(Dr. Anshuman, J)

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