

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)  
CRIMINAL MISCELLANEOUS No.50244 of 2022**

Arising Out of PS. Case No.-817 Year-2022 Thana- PHULWARISHARIF District- Patna

Krishna Kumar, Son of Radheshyam Prajapati, R/V- Mokari, P.S- Bhabhua,  
Dist- Kaimur (Bhabhua)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Rajesh Kumar Pathak, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD  
ORAL ORDER**

3      23-12-2022              Learned counsel for the petitioner undertakes to  
remove all the defects as pointed out by the Stamp Reporter by  
16<sup>th</sup> January, 2023.

Heard learned counsel for the petitioner and Mr. Raj  
Ballabh Singh, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail  
in connection with Phulwarisharif (Janipur) P.S. Case No. 817  
of 2022 registered for the offences punishable under Sections  
406/419/420 of the Indian Penal Code and Section 10 of Bihar  
Examination Conduct Act and Section 66 of the Information  
Technology Act. He is in custody since 11.07.2022. He has no  
criminal antecedent.

Learned counsel for the petitioner submits that the  
allegation against the petitioner is that during the exam,



conducted by IGI Aviation Services Private Limited for the post of Customer Service Agent at Scholars Abode School, Mahangupur, Chiraura, he was sending the photographs of the question paper on whatsapp group.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel further submits that the petitioner is in custody since 11.07.2022 having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Having regard to the facts and circumstances of the case, the nature of allegations, there being no allegation that he had received any answer of the questions on his mobile, there is no criminal antecedent of the petitioner and he has remained in custody since 11.07.2022, investigation against him is complete and there is no submission on behalf of the State that release of the petitioner at this stage is likely to result in tampering with the evidence or interfering with the course of trial, this Court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IX, Patna in connection with



Phulwarisharif (Janipur) P.S. Case No. 817 of 2022, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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.

The application stands allowed.

Certified copy of this order shall be made available only after removal of the defects.

**(Rajeev Ranjan Prasad, J)**

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