

Kameshwar Baraik Alias Guthlu vs The State Of Jharkhand on 13 March, 2014

Author: H.C.Mishra

Bench: H.C.Mishra

IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A No. 2104 of 2014

1. Mangal Singh
2. Kamal Horo
3. Manbahal Hembrom
4. Matias Ainol
5. Siyon Surin
6. Prabhu Mahto
7. Abhimanu Mahto
8. Abhichandra Mahto
9. Muna Mahto

.... Petitioners

-Versus-

The State of Jharkhand

..... Opposite Party

CORAM : HON'BLE MR. JUSTICE H.C.MISHRA

For the Petitioners: : M/s. Aishwarya Prakash
For the State : : M/s. A.P.P.

2/ 13.03.2014

. Heard learned counsel for the petitioners and the learned counsel for the State.

The petitioners have been made accused in connection with Bano P.S. Case No.2 of 2014, corresponding to G.R No.16 of 2014, for the offence under Sections 379, 414 of the Indian Penal Code and Sections 33, 41-42 of the Indian Forest Act.

From the F.I.R. it appears that the petitioners were apprehended with a tractor loaded with wood logs.

In the facts of this case, I am inclined to release the petitioners, on bail. Accordingly, the petitioners, Mangal Singh, Kamal Horo, Manbahal Hembrom, Matias Ainol, Siyon Surin, Prabhu Mahto, Abhimanu Mahto, Abhichandra Mahto & Muna Mahto, are directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Simdega, in connection with, Bano P.S. Case No.2 of 2014, corresponding to G.R No.16 of 2014.

(H.C.Mishra, J.) D.S. IN THE HIGH COURT OF JHARKHAND AT RANCHI

Manju Yadav		.... Petitioner
	-Versus-	
The State of Jharkhand		..... Opposite Party

CORAM :	HON'BLE MR. JUSTICE H.C.MISHRA	

For the Petitioner :		: M/s. Kumar Amit
For the State :		: M/s. A.P.P.

2/ 13.03.2014. Heard learned counsel for the petitioner and the learned counsel for the State.

The petitioner has been made accused in connection with Bishnugarh P.S. Case No.100 of 2013, corresponding to G.R No.2863 of 2013, for the offence under Sections 414, 34 of the Indian Penal Code.

From the F.I.R. it appears that the petitioner is the owner of the pick-up van apprehended with stolen iron scraps.

In the facts of this case, I am inclined to release the petitioner, on bail. Accordingly, the petitioner, Manju Yadav, is directed to be released on bail, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri S. B. Sharma, learned Judicial Magistrate, 1st Class, Hazaribag, or his successor, in connection with, Bishnugarh P.S. Case No.100 of 2013, corresponding to G.R No.2863 of 2013.

(H.C.Mishra, J.) D.S. IN THE HIGH COURT OF JHARKHAND AT RANCHI

Umesh Agarwal		.... Petitioner
	-Versus-	
The State of Jharkhand		..... Opposite Party

CORAM :	HON'BLE MR. JUSTICE H.C.MISHRA	

For the Petitioner :		: M/s.Mahesh Kr. Sinha (2)
For the State :		: M/s. A.P.P.

2/ 13.03.2014. Heard learned counsel for the petitioner and the learned counsel for the State.

The petitioner has been made accused in connection with Nawadih P.S. Case No.109 of 2013, corresponding to G.R No.1118 of 2013, for the offence under Sections 413, 414, 120-B, 34 of the Indian Penal Code and Section 33 of the Indian Forest Act.

From the F.I.R. it appears that the petitioner is alleged to be involved in illegal mining and transaction of coal.

In the facts of this case, I am inclined to release the petitioner, on bail. Accordingly, the petitioner, Umesh Agarwal, is directed to be released on bail, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri S.K. Dubey, learned Judicial Magistrate, 1st Class, Bermo at Tenughat, or his successor, in connection with, Nawadih P.S. Case No.109 of 2013, corresponding to G.R No.1118 of 2013.

(H.C.Mishra, J.) D.S. IN THE HIGH COURT OF JHARKHAND AT RANCHI

Uttam Gope		.... Petitioner
	-Versus-	
The State of Jharkhand		..... Opposite Party

CORAM :	HON'BLE MR. JUSTICE H.C.MISHRA	

For the Petitioner :	:	M/s. Bijay Kumar Sinha
For the State :	:	M/s. A.P.P.

2/ 13.03.2014. Heard learned counsel for the petitioner and the learned counsel for the State.

The petitioner has been made accused in connection with Kuru P.S. Case No.99 of 2013, corresponding to G.R No.502 of 2013, for the offence under Sections 25(1-B)(a), 26, 35 of the Arms Act.

From the F.I.R. it appears that the petitioner was apprehended on 5.9.2013 and from his possession one rifle was recovered.

In the facts of this case, I am inclined to release the petitioner, on bail. Accordingly, the petitioner, Uttam Gope, is directed to be released on bail, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Lohardaga, in connection with, Kuru P.S. Case No.99 of 2013, corresponding to G.R No.502 of 2013.

(H.C.Mishra, J.) D.S. IN THE HIGH COURT OF JHARKHAND AT RANCHI

Md. Sahjaahan		.... Petitioner
	-Versus-	
The State of Jharkhand		..... Opposite Party

CORAM : HON'BLE MR. JUSTICE H.C.MISHRA

For the Petitioner : : M/s. Gauri Debi
For the State : : M/s. A.P.P.

2/ 13.03.2014. Heard learned counsel for the petitioner and the learned counsel for the State.

The petitioner has been made accused in connection with Tatanagar Rail P.S. Case No.89 of 2013, corresponding to G.R No.129 of 2013, for the offence under Sections 379, 411 of the Indian Penal Code.

From the F.I.R. it appears that the petitioner was apprehended after a chase after committing theft, on railway platform.

In the facts of this case, I am inclined to release the petitioner, on bail. Accordingly, the petitioner, Md. Sahjaahan, is directed to be released on bail, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Railway Judicial Magistrate, Chakradharpur, in connection with, Tatanagar Rail P.S. Case No.89 of 2013, corresponding to G.R No.129 of 2013.

(H.C.Mishra, J.) D.S. IN THE HIGH COURT OF JHARKHAND AT RANCHI

1. Dinesh Kumar Mahto

2. Basudeo Prasad Verma Petitioners

-Versus-

The State of Jharkhand Opposite Party

CORAM : HON'BLE MR. JUSTICE H.C.MISHRA

For the Petitioners : : M/s. Sameer Saurabh
For the State : : M/s. A.P.P.

2/ 13.03.2014. Heard learned counsel for the petitioners and the learned counsel for the State.

The petitioners have been made accused in connection with Markacho P.S. Case No.242 of 2013, corresponding to G.R No.1894 of 2013, for the offence under Sections 414 of the Indian Penal Code.

From the F.I.R. it appears that the petitioners were apprehended with a tractor loaded with allegedly stolen coal.

In the facts of this case, I am inclined to release the petitioners, on bail. Accordingly, the petitioners, Dinesh Kumar Mahto and Basudeo Prasad Verma, are directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Koderma, in connection with, Markacho P.S. Case No.242 of 2013, corresponding to G.R No.1894 of 2013.

(H.C.Mishra, J.) D.S. IN THE HIGH COURT OF JHARKHAND AT RANCHI

Dileshwar Mahto		.... Petitioner
	-Versus-	
The State of Jharkhand		..... Opposite Party

CORAM :	HON'BLE MR. JUSTICE H.C.MISHRA	

For the Petitioner :	:	M/s. Prabhat Kr. Sinha
For the State :	:	M/s. A.P.P.

2/ 13.03.2014. Heard learned counsel for the petitioner and the learned counsel for the State.

The petitioner has been made accused in connection with Barkagaon P.S. Case No.71 of 2012, corresponding to G.R No.1646 of 2012, for the offence under Section 379 of the Indian Penal Code, Section 33 of the Indian Forest Act, Section 30(ii) of the Coal Mines Act and Sections 4(1) and 4(1) A of the M.M.R.D. Act.

From the F.I.R. it appears that the petitioner is the driver-cum-owner of the tractor seized with illegally mined coal.

In the facts of this case, I am inclined to release the petitioner, on bail. Accordingly, the petitioner, Dileshwar Mahto, is directed to be released on bail, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri S.K. Singh, learned Judicial Magistrate, 1st Class, Hazaribag, or his successor, in connection with, Barkagaon P.S. Case No.71 of 2012, corresponding to G.R No.1646 of 2012.

(H.C.Mishra, J.) D.S. IN THE HIGH COURT OF JHARKHAND AT RANCHI

Ram Patras Marandi Petitioner
-Versus-
The State of Jharkhand Opposite Party

CORAM : HON'BLE MR. JUSTICE H.C.MISHRA

For the Petitioner : : M/s. Kailash Prasad Deo
For the State : : M/s. A.P.P.

2/ 13.03.2014. Heard learned counsel for the petitioner and the learned counsel for the State.

The petitioner has been made accused in connection with Sunderpahari P.S. Case No.39 of 2012, corresponding to G.R No.1091 of 2012, S.C. No. 373 of 2012, for the offence under Sections 399, 402 of the Indian Penal Code.

From the F.I.R. it appears that the petitioner was apprehended with other co-accused persons on 7.8.2012 while allegedly making preparation for committing dacoity. There is recovery of double barrel pistol loaded with two cartridges from the petitioner.

In the facts of this case, I am inclined to release the petitioner, on bail. Accordingly, the petitioner, Ram Patras Marandi, is directed to be released on bail, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I, Godda, in connection with, Sunderpahari P.S. Case No.39 of 2012, corresponding to G.R No.1091 of 2012, S.C. No. 373 of 2012.

(H.C.Mishra, J.) D.S. IN THE HIGH COURT OF JHARKHAND AT RANCHI

J.P. Pandit @ Jai Prakash Pandit Petitioner

-Versus-

The State of Jharkhand Opposite Party

CORAM : HON'BLE MR. JUSTICE H.C.MISHRA

For the Petitioner : : M/s. Sanjay Kumar
For the State : : M/s. A.P.P.

2/ 13.03.2014. Heard learned counsel for the petitioner and the learned counsel for the State.

The petitioner has been made accused in connection with Harla P.S. Case No.208 of 2013, corresponding to G.R No.2062 of 2013, for the offence under Sections 379, 411 of the Indian Penal Code.

From the F.I.R. it appears that the petitioner was apprehended after committing theft.

In the facts of this case, I am inclined to release the petitioner, on bail. Accordingly, the petitioner, J.P. Pandit @ Jai Prakash Pandit, is directed to be released on bail, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Bokaro, in connection with, Harla P.S. Case No.208 of 2013, corresponding to G.R No.2062 of 2013.

(H.C.Mishra, J.) D.S. IN THE HIGH COURT OF JHARKHAND AT RANCHI

Shekh Motu @ Motu Shekh Petitioner

-Versus-

The State of Jharkhand Opposite Party

CORAM : HON'BLE MR. JUSTICE H.C.MISHRA

For the Petitioner :	: M/s. Mohit Prakash
For the State :	: M/s. A.P.P.

2/ 13.03.2014. Heard learned counsel for the petitioner and the learned counsel for the State.

The petitioner has been made accused in connection with Sisai P.S. Case No.78 of 2013, corresponding to Spt. G.R No.546 of 2013, for the offence under Sections 387/ 120-B of the Indian Penal Code.

Three co-accused persons were apprehended while they had gone to hand over the letter for demand of levy to the informant. The petitioner is not named in the F.I.R.

The petitioner has been made accused in this case on the basis of disclosure made by the apprehended co-accused.

Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in this case and in the similar circumstances the other co-accused persons have been granted bail.

In the facts of this case, I am inclined to release the petitioner, on bail. Accordingly, the petitioner, Shekh Motu @ Motu Shekh, is directed to be released on bail, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Gumla, in connection with, Sisai P.S. Case No.78 of 2013, corresponding to Spt. G.R No.546 of 2013.

(H.C.Mishra, J.) D.S. IN THE HIGH COURT OF JHARKHAND AT RANCHI

Arvind Kumar	....	Petitioner
	-Versus-	
The State of Jharkhand	.....	Opposite Party

CORAM :	HON'BLE MR. JUSTICE H.C.MISHRA	

For the Petitioner :	:	M/s. Sanjay Kumar
For the State :	:	M/s. A.P.P.

2/ 13.03.2014. Heard learned counsel for the petitioner and the learned counsel for the State.

The petitioner has been made accused in connection with Sector-IV, P.S. Case No.150 of 2013, corresponding to G.R No.1483 of 2013, S.T. No. 14 of 2014, for the offence under Sections 364-A/ 368/ 34 of the Indian Penal Code.

The case relates to abduction for ransom of the nephew of the informant and the case was instituted against unknown.

Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in this case. The statement of the victim has been recorded u/s 164 of the Cr.P.C., wherein he has not named this petitioner and the petitioner has not even been put on T.I.P. Learned counsel has accordingly, prayed for bail.

Learned counsel for the State has opposed the prayer for bail, but upon going through the case diary it is admitted that the victim has not named the petitioner and that the petitioner has not been put on T.I.P. In the facts of this case, I am inclined to release the petitioner, on bail. Accordingly, the petitioner, Arvind Kumar, is directed to be released on bail, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of

learned Additional Sessions Judge-1, Bokaro, in connection with, Sector-IV, P.S. Case No.150 of 2013, corresponding to G.R No.1483 of 2013, S.T. No. 14 of 2014.

(H.C.Mishra, J.) D.S. IN THE HIGH COURT OF JHARKHAND AT RANCHI

Kameshwar Baraik @ Guthlu Petitioner

-Versus-

The State of Jharkhand Opposite Party

CORAM : HON'BLE MR. JUSTICE H.C.MISHRA

For the Petitioner :	: M/s. Abhishek Prasad
For the State :	: M/s. A.P.P.

2/ 13.03.2014. Heard learned counsel for the petitioner and the learned counsel for the State.

The petitioner has been made accused in connection with Kurdeg P.S. Case No.27 of 2013, corresponding to G.R No.349 of 2013, Special Case No. 02 of 2013, for the offence under Sections 376-D, 354-B, 120-B of the Indian Penal Code and Sections 3(x), (xi) of the SC/ST (P.O.A.) Act.

The case relates to gang rape upon the informant and it is apparent from the F.I.R. itself that there is specific allegation against the other co-accused persons to have committed rape upon the informant. There is no such allegation against this petitioner.

In the facts of this case, I am inclined to release the petitioner, on bail. Accordingly, the petitioner, Kameshwar Baraik @ Guthlu, is directed to be released on bail, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, Simdega-cum-Special Judge, Simdega, in connection with, Kurdeg P.S. Case No.27 of 2013, corresponding to G.R No.349 of 2013, Special Case No. 02 of 2013.

(H.C.Mishra, J.) D.S. IN THE HIGH COURT OF JHARKHAND AT RANCHI

1. Sapan Mahto

2. Apan Mahto

3. Shankar Mahto

4. Haradhan Mahto Petitioners

-Versus-

The State of Jharkhand Opposite Party

CORAM : HON'BLE MR. JUSTICE H.C.MISHRA

For the Petitioner :	: M/s. Sanjay Kumar
For the State :	: M/s. A.P.P.

2/ 13.03.2014. Heard learned counsel for the petitioners and the learned counsel for the State.

The petitioners have been made accused in connection with Chandankiyari P.S. Case No.151 of 2013, corresponding to G.R No.1907 of 2013, for the offence under Sections 147, 148, 149, 323, 324, 307, 337, 504 & 506 of the Indian Penal Code.

There is allegation against the petitioners to have assaulted and injured the informant and his son.

In the facts of this case, taking into consideration the injuries as mentioned in the impugned order, I am inclined to release the petitioners, on bail. Accordingly, the petitioners, Sapan Mahto, Apan Mahto, Shankar Mahto, and Haradhan Mahto, are directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Sri Arjun Saw, learned Judicial Magistrate, 1st Class, Bokaro, or his successor, in connection with, Chandankiyari P.S. Case No.151 of 2013, corresponding to G.R No.1907 of 2013.

(H.C.Mishra, J.) D.S. IN THE HIGH COURT OF JHARKHAND AT RANCHI

Biran Sahu		.... Petitioner
	-Versus-	
The State of Jharkhand		..... Opposite Party

CORAM :	HON'BLE MR. JUSTICE H.C.MISHRA	

For the Petitioner : : M/s. Rajesh Kumar
For the State : : M/s. A.P.P.

2/ 13.03.2014. Heard learned counsel for the petitioner and the learned counsel for the State.

The petitioner has been made accused in connection with Kisko P.S. Case No.38 of 2013, corresponding to G.R No.291 of 2013, for the offence under Section 366 of the Indian Penal Code.

There is allegation against the petitioner and the other co-accused to have kidnapped the minor daughter of the informant.

The statement of the victim girl has been recorded u/s 164 of the Cr.P.C., wherein she has named the other co-accused, but she has not named the petitioner.

In the facts of this case, I am inclined to release the petitioner, on bail. Accordingly, the petitioner, Biran Sahu, is directed to be released on bail, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri S.N. Singh, learned Judicial Magistrate, 1st Class, Lohardaga, or his successor, in connection with, Kisko P.S. Case No.38 of 2013, corresponding to G.R No.291 of 2013.

(H.C.Mishra, J.) D.S. IN THE HIGH COURT OF JHARKHAND AT RANCHI

Ainul Khan Petitioner
-Versus-
The State of Jharkhand Opposite Party

CORAM : HON'BLE MR. JUSTICE H.C.MISHRA

For the Petitioner : : M/s. Mahesh Kr. Sinha (2)
For the State : : M/s. A.P.P.

3/ 13.03.2014. Heard learned counsel for the petitioner and the learned counsel for the State.

The petitioner has been made accused in connection with Bokaro Thermal P.S. Case No.28 of 2013, corresponding to G.R No.462 of 2013, for the offence under Sections 414, 420, 467, 468, 471, 34 and 120-B of the Indian Penal Code.

From the F.I.R. it appears that a vehicle was seized in connection with a murder case which was found to be stolen and to be used with forged documents. The petitioner is also named along with the other co-accused persons. It appears that the other co-accused persons have been granted bail by order dated 02.09.2013 in B.A. No. 6143 of 2013.

In the facts of this case, I am inclined to release the petitioner, on bail. Accordingly, the petitioner, Ainul Khan, is directed to be released on bail, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Bermo at Tenughat, in connection with, Bokaro Thermal P.S. Case No.28 of 2013, corresponding to G.R No.462 of 2013.

(H.C.Mishra, J.) D.S. IN THE HIGH COURT OF JHARKHAND AT RANCHI

Chandeshwar Prasad		.... Petitioner
	-Versus-	
The Union of India through C.B.I.		..... Opposite Party

CORAM :	HON'BLE MR. JUSTICE H.C.MISHRA	

For the Petitioner :	:	M/s. Rajesh Kumar
For the C.B.I. :	:	M/s. Mokhtar Khan

2/ 13.03.2014. Heard learned counsel for the petitioner and the learned counsel for the C.B.I. The petitioner has been made accused in connection with R.C. Case No.3A/14D, for the offence under Sections 120-B of the Indian Penal Code & Section 7 of the Prevention of Corruption Act.

This is a trap case in which the petitioner was apprehended while accepting the bribe of Rs.20,000/-

In the facts of this case, I am inclined to release the petitioner, on bail. Accordingly, the petitioner, Chandeshwar Prasad, is directed to be released on bail, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-1-cum-Special Judge, C.B.I., Dhanbad, in connection with, R.C. Case No.3A/14D.

(H.C.Mishra, J.) D.S. IN THE HIGH COURT OF JHARKHAND AT RANCHI

Permanand Prajapati Petitioner

-Versus-

The State of Jharkhand Opposite Party

CORAM : HON'BLE MR. JUSTICE H.C.MISHRA

For the Petitioner : : M/s. Ashim Kr. Sahani
For the State : : M/s. A.P.P.

2/ 13.03.2014. Heard learned counsel for the petitioner and the learned counsel for the State.

The petitioner has been made accused in connection with Silli (M) P.S. Case No.19 of 2014, corresponding to G.R No.912 of 2014, for the offence under Sections 103/ 104 of the Trade Mark Act, Sections 467, 468, 471, 420 of the Indian Penal Code and Sections 63/ 64 of the Copy Right Act.

There is seizure of bottles of Gulab Bari, Hair oil, etc., and stickers and bottles thereof from the petitioner, which were spurious and being sold in the brand name of Dabur.

In the facts of this case, I am inclined to release the petitioner, on bail. Accordingly, the petitioner, Permanand Prajapati, is directed to be released on bail, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri S.B. Ojha, learned Judicial Magistrate, 1st Class, Ranchi, or his successor, in connection with, Silli (M) P.S. Case No.19 of 2014, corresponding to G.R No.912 of 2014.

(H.C.Mishra, J.) D.S. IN THE HIGH COURT OF JHARKHAND AT RANCHI

Dr. Dilip Kumar Prasad Petitioner

-Versus-

The State of Jharkhand through C.B.I. Opposite Party

CORAM : HON'BLE MR. JUSTICE H.C.MISHRA

For the Petitioner : : M/s. A.K.Sinha, Sr. Advocate
Abhishek Sinha, Advocate
For the C.B.I. : : M/s. Mokhtar Khan

6/ 13.03.2014. Heard learned counsel for the petitioner and the learned counsel for the C.B.I. The petitioner has been made accused in connection with R.C. Case No. 06(A)/2012-AHD-R,

corresponding to Vigilance P.S. Case No. 23 of 2010, for the offence under Sections 420, 423, 424, 467, 468, 469, 471, 477-A, 120-B, 109, 201 of the Indian Penal Code and Sections 13(2) r/w 13(1) (d) of the Prevention of Corruption Act.

The petitioner at a relevant time was the Chairman of the Jharkhand Public Service Commission (herein after referred to as "Commission"), and there is allegation against him and the Members to have made serious irregularities in the Second Combined Civil Services Examination conducted by the Commission. The allegations against the petitioner and the Members disclose serious irregularities in the matter of the appointment of several candidates closely related to the Members, and during investigation it was found that interpolations were made and the marks of the candidates of choice were substantially increased, in order to facilitate their selection. Apart from these allegations, it is also alleged that one relative of the petitioner had appeared in the examination, but the F.I.R., shows that the petitioner had disclosed this fact, but he had not mentioned his roll number.

It has been pointed out by the learned counsel for the petitioner that similar other cases were also filed against the petitioner with respect to other examinations, in which the petitioner has been granted bail taking into consideration the period of his custody. In the present case also, the petitioner is in custody since 04.02.2011, i.e., more than three years. Learned counsel has accordingly, prayed for bail.

Learned counsel for the C.B.I., on the other hand has opposed the prayer for bail and has pointed out from the counter-affidavit filed by the CBI, that apart from the general allegations which have been leveled against the Chairman and the Members, it is also alleged that one candidate of the petitioner was selected in the said examination. However, it is also admitted by the learned counsel for the C.B.I., that the charge-sheet has not yet been submitted in this case by the CBI, and the case is still under investigation.

It appears from the F.I.R. itself, that the petitioner had disclosed about the candidature of his relative prior to the examination itself, but only his roll number was not mentioned.

In the facts of this case, taking into consideration the period of custody of the petitioner, I am inclined to release the petitioner, on bail. Accordingly, the petitioner, Dr. Dilip Kumar Prasad, is directed to be released on bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, C.B.I., Ranchi, in connection with, R.C. Case No. 06(A)/2012-AHD-R, corresponding to Vigilance P.S. Case No. 23 of 2010.

The petitioner is directed to keep himself aloof from the witnesses during investigation by the C.B.I., as also during the trial of the case, and if it is found that the petitioner tried to influence any witness during the investigation or trial, the C.B.I. shall be free to file application in the Court below for cancellation of the bail of the petitioner.

The petitioner is also directed to deposit his pass-port in the Court below, if any, and he shall not leave the Country without the permission of the Court below. If the petitioner has already deposited his pass-port in connection with another case, or if he has no pass-port, he shall file affidavit to that effect in the Court below.

(H.C.Mishra, J.) D.S.