

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14784 of 2023

Applicant :- Chandan Kumar Vishwakarma

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home Govt. Lko.

Counsel for Applicant :- Ramakar Shukla

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Ramakar Shukla, the learned counsel for the applicant as well as Sri Virendra Singh, the learned A.G.A. for the State and perused the record.
2. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 889 of 2023, under Section 419, 420, 467, 468, 471, 120-B I.P.C. and Section 6/9 of Public Examination Act, 1998, registered at Police Station Kotwali, District Unnao.
3. The aforesaid case has been registered on the basis of F.I.R. lodged on 29.10.2023 stating that during an Preliminary Eligibility Test (PET), the applicant was appearing in place of co-accused persons, who was a candidate in the examination.
4. In the affidavit filed in support of the bail application, it has been stated that the applicant is innocent, he has been falsely implicated in the present case and he has no criminal history. The applicant has surrendered himself and he is in custody since 29.10.2023
5. The learned A.G.A. has opposed the prayer of the bail, but he could not dispute the aforesaid aspects of the matter.
6. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that substantive offences

under the public examination act carry a maximum punishment of imprisonment upto one year and without making any observations which may affect the merits of the case, I am of the view that the aforesaid facts are sufficient for making out a case for enlargement of the applicant on bail.

7. Accordingly, this bail application stands **allowed**.

8. Let the **applicant- Chandan Kumar Vishwakarma** be released on bail in the aforesaid case, on furnishing a personal bond and two sureties each in the like amount to the satisfaction of Magistrate/Court concerned, subject to the following conditions: -

- (i) the applicant shall not tamper with the prosecution evidence;
- (ii) the applicant shall not pressurize the prosecution witnesses;
- (iii) the applicant shall appear on each and every date fixed by the trial court.

(Subhash Vidyarthi,J.)

Order Date :- 15.12.2023

Preeti.