



2025:JHC-1 K03:29496

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL MISC. BAIL APPLICATION No. - 12538 of 2025

Surya Prakash Singh

.....Applicant(s)

Versus

State Of U.P. Thru. Its Addl. Chief/Prin. Secy.
Home Lko.

.....Opposite
Party(s)

Counsel for Applicant(s) : Digvijay Singh, Aviral Misra
Counsel for Opposite Party(s) : G.A.

Court No. - 15

HON'BLE KARUNESH SINGH PAWAR, J.

Heard learned counsel for the accused-applicant as well as learned A.G.A. for the State and perused the record.

In the prosecution case, it is alleged that during the recruitment process conducted by the U.P. Subordinate Services Selection Commission for various posts in December, 2018, pursuant to Advertisement No. 02 of 2018, several candidates submitted written applications for the posts of Gram Panchayat Officer, Gram Vikas Officer, and Social Welfare Supervisor. The examination was held on 22.12.2018 and 23.12.2018 for a total of 1953 posts. Out of these, it is alleged that 136 candidates adopted fraudulent means, thereby causing wrongful gain to themselves.

It is further submitted that the alleged offence committed by the co-accused persons is serious in nature and amounts to grave misconduct, as contended by the Commission.

Learned counsel for the applicant submits that although the applicant is named in the FIR, no wrongful gain has been committed by him. He has drawn the attention of this Court to the comments filed by the prosecution agency before the trial court, wherein it is alleged that in the OMR sheet filled up by the applicant, 44 questions were answered in the carbon copy, whereas only 130 questions were answered in the original copy.

Both the original and carbon copies of the OMR sheet were handed

over to the examination supervisor immediately after the examination. Thereafter, the same remained in the custody of the opposite parties or the government agency, and the applicant had no access to them. There is no allegation in the prosecution case that the applicant tampered with the OMR sheet. The allegation against the applicant is therefore utterly misconceived.

It is further submitted that the applicant is not a beneficiary of the alleged offence as he was declared unsuccessful in the examination. The applicant has no criminal history and the alleged offences are triable by a Magistrate.

The co-accused persons namely Komal Singh @ Kamlesh, Ravishankar Sharma, Vimlesh Kumar Kanojiya and Ram Pravesh Singh @ R.P. Yadav, have already been enlarged on bail by this Court vide order contained as Annexure Nos.3 to 6 to the bail application.

It has been further submitted that applicant is in jail since 20.11.2025 and, if facility of bail is granted, there is no apprehension that he will flee from the judicial process and he will abide by the orders passed by the Court below and will co-operate in speedy trial of the case.

Learned A.G.A. has opposed the prayer for bail but could not dispute the submission of the learned counsel for the applicant.

On due consideration of aforesaid, including that applicant having no criminal antecedents has been languishing in jail since 20.11.2025; bail orders of the co-accused named above; the undertaking given by the applicant to cooperate in the investigation and the offences are triable by a Magistrate, I find it to be a fit case for enlarging the applicant on bail.

Accordingly, the bail application is **allowed**.

Let the applicant- **Surya Prakash Singh**, involved in Case Crime/FIR No. 0002 of 2021 under Sections 420, 467, 468, 471, 477A, 120-B IPC, Police Station-S.I.T., District-Lucknow, be released on bail on furnishing a personal bond and two sureties each in the like amount to the satisfaction of Magistrate/Court concerned, subject to 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.

Any other condition(s) which the trial court/concerned court may deem fit and proper, in the circumstances of the case, may also be imposed.

It is clarified that the observations made in this order are confined to the present bail application and shall have no bearing on the merits of the trial.

December 16, 2025
Madhu D.R/P.S

(Karunesh Singh Pawar,J.)