

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26092 of 2018

Arising Out of PS.Case No. -68 Year- 2018 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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1. Sonu Kumar Singh, S/o- Ramesh Kumar Singh, resident of House No.-
128, Narawan, Naron Saran, P.O. and P.S.- Garkha, District- Saran,
Bihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikas Ratan Bharti, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 17-05-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Motihari Town**
P.S. Case No.68 of 2018 instituted for the offence under
Section(s) 419, 420, 120-B/34 Indian Penal Code, Section 66, 67
of the IT Act and Section 10 of Bihar Examination Conduct Act,
pending in the Court of the **Chief Judicial Magistrate, East**
Champaran, Motihari.

Prosecution case is that on 08.02.2018 the informant
got information that in the Intermediate Examination of 2018,
question paper and its solved answer of Physics subject has
leaked and is viral on Whatsapp on various mobile. It is further



alleged that one Abhay Gupta of Udham Pandey College is selling the solved answer of Physics at the rate of rupees one thousand to various persons. It is further alleged that after making necessary entry in the station diary, the informant and the police went to different places to catch the persons involved. The informant and his team reached Udham Pandey College and found one person busy on mobile. Aforesaid person was arrested and he disclosed his name as Abhay Gupta. It is further alleged that on the basis of clue given by Abhay Gupta, various persons were trapped on the basis of call records, who were involved in distribution and collection of the solved answer sheet of Physics paper on Whatsapp mobile. It is further alleged that various persons were arrested and one Satyam Kumar was also arrested. He stated before the police that petitioner was also involved in the alleged occurrence. He stated that it was the petitioner, who used to solve the answer and had sent back to him for which petitioner had made demand of rupees sixty thousand.

The counsel for petitioner has submitted that name of this petitioner has come on the basis of confessional statement of co-accused. There is no recovery from the possession of the petitioner.

Case diary has been received. Learned APP has



submitted that in the case diary there is mention of chain of people involved in the aforesaid occurrence. The name of this petitioner has also come as one of the member of aforesaid chain of person.

In such circumstances, this Court does not find it a fit case for grant of anticipatory bail.

Prayer of the petitioner for grant of anticipatory bail is **rejected**.

Petitioner may surrender before the Court below and seek regular bail, which shall be considered and disposed off in accordance with law without being prejudiced by this order.

(Sanjay Priya, J)

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