

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52725 of 2017

Arising Out of PS.Case No. -44 Year- 2017 Thana -AGAMKUAN District- PATNA

=====

1. PINKU KUMAR @ ASHISH RANJAN @ RAJIV RANJAN Son of
Ram Prasadi Prasad, R/o Village- Patna, At present Mohalla- Maurya Vihar
Colony, Transport nagar, P.S.- Agamkuan, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar Through Vigilance, Patna.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Kamod Kumar Vidyarthi

For the Opposite Party/s : Mr. Ajay Mishra

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

10 26-06-2018

Heard both sides.

The petitioner seeks bail in Agamkuan P.S. Case No.44 of 2017 registered under Sections 419, 420, 467, 468, 471/34 of the Indian Penal Code. Later on Sections 120B of the Indian Penal Code, 66(B) I.T. Act and Sections 7, 8, 9, 13(i)(a)(d)(c) read with Section 13 (2) of Prevention of Corruption Act, 1988 were added.

Mr. Yogesh Chandra Verma, learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. During the course of investigation the name of the petitioner figured in the case on the confessional statement of other accused persons. It has come that the petitioner received the Answer keys



from Alok Ranjan and transmitted the same to different candidates through whatsapp who had paid or assured to pay Rs. 6 lac and for getting service in departments of the Govt. of Bihar for which Bihar Staff Selection Commission was conducting the competitive examination. It has further been submitted that the petitioner is an Assistant Loco Pilot in the Railway department in the Eastern Central Railway, Danapur and posted in the office of D.R.M., Danapur. Alok Ranjan, another Loco Pilot disclosed the name of the petitioner. The petitioner was apprehended during the course of investigation and Special Investigation Team forcefully obtained the signature of the petitioner on blank papers and later on same was converted into confessional statement of the petitioner. No incriminating article has been recovered from the possession of the petitioner. Even during the course of investigation, not even a single candidate has come forward to say that the petitioner took money from him for providing job in any government department. The confessional statement of the co-accused has got no evidentiary value and the petitioner is rotting in jail since 13.06.2017.

Mr. Ajay Mishra, learned counsel for the State vehemently opposed the prayer for bail and submits that the petitioner and other accused persons had knit a web and they



worked together for leaking the question of a competitive examination and provided answer sheets to the candidates after extracting huge amount from the candidates for providing jobs in different department of the government of Bihar. Besides Alok Ranjan, the petitioner also disclosed that he got answer keys on his mobile from Alok Ranjan and he transmitted the same to different examinees of First Intermediate Level Combined Examination on different mobiles of the candidates from whom the petitioner and others extracted huge amount. The mobile of Alok Ranjan bearing Sim Card No. 9473362536, the mobile of Nitin Kumar @ Sanoj Verma bearing Sim card No.9155372619 and many other accused including the petitioner were sent to F.S.L. and it transpired that they all sent whatsapp messages from their mobiles to different candidates. The accused persons also exchanged whatsapp messages among each other from onward transmission to the candidates. The petitioner had mobile no. 9473362536. It is further submitted that the prayer for bail of other accused persons similarly situated have already been rejected by this Court vide order passed in Cr. Misc. No.20500/2017, Cr. Misc. No.21091/2017 and other Criminal Miscellaneous. It is further submitted that the prayer for bail of the Chairman, B.S.S.C. was rejected by this court as well as by the Apex Court.



Perused the F.I.R. and the Case record. The informant got information on 03.02.2017 that in the house of Dinanath Singh, situated in Mohalla Mahatma Gandhi Nagar, Kanti factory road, Pawan Kumar, Atul Ranjan are involved in procuring question papers and answer keys of competitive examination and they are indulged in transmitting the answer keys and the question papers to different candidates appearing at examination to be held by the B.S.S.C. for recruitment of different posts of the Government of Bihar, after taking huge money from the candidates. The informant informed his superior officers and raiding team was constituted who raided the place and house in which Pawan Kumar and Atul Ranjan Sinha and others were residing. Three persons namely Pawan Kumar, Bipin Kumar and Navnit were apprehended and on interrogation, Pawan Kumar and Bipin Kumar disclosed the entire story saying that the accused persons had formed a group of different persons in which even the staff and officers of B.S.S.C. are involved and they used to get the question papers and answer sheets much prior to the commencement of the competitive examination and they transmitted the same to the candidates from whom they had extracted huge money. Bipin Kumar, Navnit Kumar also disclosed the name of Atul Ranjan Sinha, Gorelal @ Kaushik, Bhola @



Nitesh and others. Huge quantity of electronic devices, computers, Battery, Blue tooth, mobile phones, original certificates of many candidates who had approached accused for getting answer sheets were recovered from the place. Alok Ranjan one of the accused disclosed the name of the petitioner. It transpires during course of investigation on examination of the electronic devices and the mobiles of the accused persons that they were in regular touch with each other and they received the whatsapp message of answer keys from other accused persons and the petitioner immediately transmitted the same to different candidates from whom the petitioner had realized huge money. It appears from the entire facts that the petitioner is an active member of a group who involved in getting the question papers and answer keys of a competitive examination and the petitioner provided them to different candidates who paid huge money in getting government job to different offices of government of Bihar for which B.S.S.C. was holding the examination. It appears that the petitioner hijacked the entire competitive examination held by the B.S.S.C. for appointment of different posts in different offices of the government of Bihar. The prayer for bail of other accused persons has already been rejected.

Considering the aforesaid facts, I am not inclined to



enlarge the petitioner on bail. Accordingly, the same is rejected.

Since the petitioner is in custody since 13.06.2017, the trial court is directed to expedite the trial after holding the trial on day to day basis and conclude the same within six months from the date of receipt of this order.

If the trial is not concluded within the stipulated period, the petitioner may renew his prayer for bail.

(Prabhat Kumar Jha, J)

Amit/-

U		T	
---	--	---	--

