

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57458 of 2018

Arising Out of PS. Case No.-4 Year-2011 Thana- C.B.I CASE District- Patna

Ashok Kumar Singh, aged about 34 Years, S/o Late Bans Narayan Singh, R/o Vill.- Benipur, P.S.- Mirzamurad, District- Varanasi , (U.P.), A/p - R/o 207/112, Madhavpura, Bairhana, Allahabad, (U.P.).

... .. Petitioner/s

Versus

The Union of India Through C B I.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kripanand Kumar Prabhakar, Adv.

For the Opposite Party/s : Mr. Bipin Kumar Sinha (SC,CBI)

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 05-11-2018 Heard learned counsel for the petitioner and
learned counsel for the C.B.I.

In this case, the petitioner is apprehending his arrest in connection with RC 4 E/2011 A registered for offenses under sections 120-B r/w 419, 420, 464, 468, 471 of the Indian Penal Code.

The petitioner is the candidate seeking admission in the medical college. The examination was conducted by the Central Board of Secondary Education, the roll number of the petitioner was 5800508, in the main examination, one Gautam Kumar, a scholar, who impersonated the petitioner, appeared in the examination on the said roll number which was allotted to the petitioner.



It is an admitted fact that Gautam Kumar was arrested on the charge of impersonation of the present petitioner.

Learned counsel for the petitioner has submitted that similarly situated persons, namely, Rajaneesh Kumar Verma @ Ragneesh Kumar in Cr. Misc. No. 61079 of 2018, Ravi Kant Kumar in Cr. Misc. No. 53864 of 2018 and Ashish Mourya in Cr. Misc. No. 55852 of 2018 have already been granted anticipatory bail as the submission was made in the aforesaid cases that the impersonation is bailable offence and no other point was made and the Court has not discussed any more on the merit of the case and granted anticipatory bail to them.

In the present case, there is allegation of impersonation, is nothing but cheating during examination conducted by the C.B.S.E. It has been recorded in various paragraphs of the case diary that in a calculated and systematic manner, every thing has been done and has also pointed out by the counsel for the C.B.I. that the kingpin is Arun Kumar and he was managing the entire affairs of impersonation. It has further been recorded in the case diary that for getting admission in the medical college, there was also transaction of money between the accused persons.

In that view of the matter, this Court is not inclined to



grant privilege of anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner, namely, Ashok Kumar Singh is rejected.

However, the petitioner is given liberty to make a prayer for regular bail before the court below and the court below, without being prejudiced by this order, will take a decision in accordance with law.

(Shivaji Pandey, J)

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