

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.14436 of 2019**

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

Pinku Kumar @ Ashish Ranjan @ Rajiv Ranjan, aged about 30 years, Male,  
S/o Ram Prasadi Prasad, village Prahladpur, P.S Ghoswari, District Patna, at  
present Mohalla Maurya Vihar Colony, Transport Nagar, P.S Agamkuan,  
District Patna.

... .. Petitioner/s

Versus

The State of Bihar through Vigilance, Panta.

... .. Opposite Party/s

**Appearance :**

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|--------------------|---|--------------------------------------|
| For the Petitioner | : | Mr. Rajendra Narain, Senior Advocate |
| For the SIT        | : | Mr. Ajay Mishra, APP                 |
| For the Vigilance  | : | Mr. Arvind Kumar, Advocate           |

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

8      22-06-2020                      Heard Mr. Rajendra Narain, the learned Senior  
  
Counsel for the petitioner, Mr. Ajay Mishra, the learned counsel  
for the SIT as well as Mr. Arvind Kumar, the learned counsel  
appearing on behalf of the Vigilance through video  
conferencing.

The petitioner seeks bail in Special Case No.11D of  
2017, arising out of Agamkuan P.S. Case No.44 of 2017,  
registered under Sections 419, 420, 467, 468, 471, 120B and 34  
of the Indian Penal Code, under Section 66D of the Information  
Technology Act as well as under Sections 7, 8, 9, 13(1) (c) (d)  
(e) read with Section 13(2) of the Prevention of Corruption Act.

The prosecution case, in short, as alleged by



Dhirendra Kumar Singh, ASI of Agamkuan P.S., in his written report is that in the night of 03.02.2017, the informant got information that in the first floor of the house of Dina Nath Singh situated in Mohalla Kanti Factory Road, Mahatma Gandhi Nagar, Pawan Kumar and Atul Ranjan Sinha were involved in a racket/scam for getting meritless candidates passed through in the competitive examination to be held by Bihar Staff Selection Commission (for brevity 'BSSC') for recruitment in different Muffasil offices, Government of Bihar by getting question and answer sheets and making them available to such candidates who had already paid hefty amount to Pawan Kumar, Atul Ranjan Sinha and their partners. On such information, a raid was conducted. Three persons, namely, Pawan Kumar, Bipin Kumar and Navnit Kumar were apprehended and they disclosed the names of Atul Ranjan Sinha, Gorelal @ Kaushik and Bhola @ Nitesh who were their partners in the scam for getting such candidates selected in the competitive examination. On search, electronic devices, such as bluetooth, mobile phones, laptop, printer, ATM cards and cash were recovered. They disclosed that they used to get the answer sheets prior to commencement of the competitive examination and transmit the same to the candidates who had paid to them



Rs.6,00,000/- through electronic gazettes before commencement of the examination.

Mr. Rajendra Narain, the learned Senior Counsel submits that the prayer for bail of the petitioner was earlier rejected on 26.06.2018 vide order passed in Cr. Misc. No.52725 of 2017 and the petition for provisional bail of the petitioner was again rejected vide order passed in Cr. Misc. No.56295 of 2018 due to non-prosecution. It is submitted that that the petitioner has committed no offence. During the course of investigation the petitioner was apprehended. The petitioner is an Assistant Loco Pilot in Railway Department at East Central Railway, Danapur in the office of D.R.M., Danapur. During the course of investigation, the name of the petitioner transpired on the basis of the disclosure made by Alok Ranjan, another Lock Pilot of the same department. On such material, the petitioner was also apprehended and the police took signature of the petitioner. Nothing has been recovered from conscious possession of the petitioner. The petitioner is in jail since 13.06.2017. The petition for bail of the petitioner was earlier rejected with a direction to expedite the trial but more than six months have already elapsed and the trial is at the stage of framing of charge. Thus, the petitioner has remained in jail for



more than three years.

Learned counsel for the Vigilance as well as Mr. Ajay Mishra, the learned counsel appearing on behalf of the SIT submitted that the name of the petitioner transpired in the confessional statement of Alok Ranjan. The petitioner was also found in regular touch with each other and the petitioner is also one of the members of the gang who leaked the question papers and transmitted the answer sheets to different examinees.

Perused the records. The prayer for bail of the petitioner was earlier rejected vide order dated 26.06.2018, passed in Cr. Misc. No.52725 of 2017 with a direction to the trial court to expedite the trial and conclude the same within six months but the trial is still pending at the stage of framing of charge. The name of the petitioner surfaced in the case in the disclosure made by Alok Ranjan during the course of investigation and the petitioner was found in touch with other accused persons but it has not come that the petitioner transmitted the question papers and answer sheets to any candidate.

Taking into consideration the facts aforesaid and the fact that the petitioner has already remained in jail for more than three years, petitioner, namely, Pinku Kumar @ Ashish Ranjan



@ Rajiv Ranjan is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Vigilance-Ist, Patna in connection with Special Case No.11D of 2017, arising out of Agamkuan P.S. Case No.44 of 2017.

**(Prabhat Kumar Jha, J)**

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