

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22548 of 2019

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

Radha Kumari @ Pinki Kumari, female, aged about 30 years, D/o Late
Laleshwar Prasad, Resident of Indrapuri Sipara, P.S Beur, District Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Patanjali Rishi

For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

6 19-02-2020 Heard learned counsel for the petitioner and Mr. Ajay
Mishra, the learned Additional Public Prosecutor.

The petitioner seeks bail in Special Case No.11 of 2017, arising out of Agamkuan P.S. Case No.44 of 2017, registered under Sections 419, 420, 467, 468, 471/34 of the Indian Penal Code. Later on Section 120B of the Indian Penal Code, Section 66A of the I.T. Act and Sections 7, 8, 9, 13(1) (c) (d) (e) read with 13(2) of the Prevention of Corruption Act were also added.

The gist of the allegation is that the informant got secret information that in the house of Deena Nath Singh, situated at Mohalla Kanti Factory Road, Mahatma Gandhi Nagar, Pawan Kumar and Atul Ranjan Sinha were involved in getting meritless candidates passed through the competitive



examination of Bihar Staff Selection Commission by adopting corrupt and illegal means. On such information, a raid was conducted and three persons, namely, Pawan Kumar, Bipin Kumar and Navneet Kumar were arrested. Many electronic gazettes, mobile phones etc. were recovered and on their disclosure that they in collusion with Atul Ranjan Sinha, Gorelal @ Kaushik, Bhola @ Nitesh and others used to get question papers before commencement of the examination and they used to transmit the same through electronic gazettes to the candidates who had paid money to them and on such the case was instituted and investigation started. During the course of investigation, the name of the petitioner including the staff of Bihar Staff Selection Commission transpired and it was found that they all were involved in getting the question paper leaked before commencement of the examination.

Learned counsel for the petitioner submits that the petitioner had earlier moved before this Court in Cr. Misc. No.49156 of 2017, which was rejected by order dated 30.03.2018 and the petitioner thereafter did not move before this Court or the Hon'ble Supreme Court. It is further submitted that the name of the petitioner figured in the case during the course of investigation. The brother of the petitioner confessed his guilt



before the police. The petitioner was an examinee in the examination to be conducted by the Bihar Staff Selection Commission and there is no evidence that the petitioner copied the key answers obtained by her brother, Ramesh @ Rameshwar from Ashish, the nephew of the Chairman of the Commission. It is further submitted that the petitioner being a lady remained in jail for about three years. Similarly situated other accused persons have already been granted bail.

Mr. Ajay Mishra, the learned Additional Public Prosecutor opposed the prayer for bail.

Perused the records. The petitioner is not named in the FIR. Name of the petitioner figured in the case in the confessional statement of his brother who disclosed that the brother of the petitioner got the answer keys of the competitive examination from Ashish, the nephew of the Chairman of the Bihar Staff Selection Commission. The petitioner has already remained in jail for about two years nine months. Similarly situated other accused persons have been granted bail. The trial is not likely to be concluded in near future as the charges have not yet been framed.

Considering the facts aforesaid, the petitioner, namely, Radha Kumari @ Pinki Kumari is directed to be released 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 1st, Patna in connection with Special Case No.11 of 2017, arising out of Agamkuan P.S. Case No.44 of 2017.

(Prabhat Kumar Jha, J)

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