

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.71795 of 2019**

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

Rishideo Sinha @ Rishideo Singh aged about 54 years (Male) S/o- Late Bachu Singh Resident of Village- Mujauna, P.S.- Dariyapur, District- Saran, at present residing in the House of Sadanand Singh, Patliputra Colony, P.S.- Patliputra, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vigilance Department, Bihar, Patna.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Ms. Roona, Advocate

For the Vigilance : Mr. Rana Vikram Singh, Advocate

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH**  
**ORAL JUDGMENT**

**Date : 27-05-2020**

The matter has been heard *via* video conferencing in view of the lockdown imposed on account of the COVID-19 pandemic.

2. Heard Ms. Roona, learned counsel for the petitioner and Mr. Rana Vikram Singh, learned counsel for the Vigilance Department.

3. The petitioner is in custody in connection with Special Case No. 11 of 2017 arising out of Agamkuan PS Case No. 44 of 2017 dated 04.02.2017 instituted under Sections 419/420/467/468/471/34 of the Indian Penal Code to which later on Sections 120B of the Indian Penal Code; 66(D) of the



Information Technology Act, 2000; 7/8/9/13(1)(a)(d)(e) read with 13 (2) of the Prevention of Corruption Act, 1988 were also added.

4. The allegation against the petitioner is that he was party to the racket of making candidates qualify in the competitive examination conducted by the Bihar Staff Selection Commission (BSSC) for recruitment in government service by using corrupt and illegal means, including electronic devices, after taking huge amount of money.

5. Learned counsel for the petitioner submitted that he was not named in the FIR and only later, during investigation, it transpired that he was also involved and has been made accused and also arrested on 12.02.2017. It was submitted that against the petitioner the allegation is that question papers of the said examination were recovered from his house, but the same is of no value for the reason that after the examination is held, there is no confidentiality with regard to such papers and mere recovery of those from the custody of the petitioner would not be an incriminating evidence against the petitioner. Learned counsel submitted that besides that, even otherwise, coordinate benches have allowed the prayer for bail of some co-accused persons, taking into account the period of



incarceration, and the petitioner also having undergone more than three years of custody, be granted the same privilege. In this connection, she referred to order dated 10.07.2019 passed in Cr. Misc. No. 72651 of 2018 (Ajay Kumar @ Ajay Kashyap); order dated 22.11.2019 passed in Cr. Misc. No. 70260 of 2019 (Kaushal Singh @ Kaushal Kishore); order dated 17.01.2020 passed in Cr. Misc. No. 55077 of 2019 (Kaushlendra Kumar @ Kaushik @ Gorelal) and order dated 19.02.2020 passed in Cr. Misc. No. 56178 of 2019 (Anish Kumar @ Golu).

6. Learned counsel for the Vigilance Department, from the case diary, submitted that against the petitioner, after thorough investigation, it has been found that he was in touch with the other accused persons and also candidates and the question papers being recovered from his custody is a clear indication of his involvement. It was also submitted that huge investments made by him have come to light from scrutiny of his bank accounts and that the petitioner was an active player in such illegal activity. Learned counsel submitted that the period of custody would not be relevant in the present case as against the petitioner there is incriminating documentary evidence which is also corroborated from various other evidence and most importantly the type of criminal activity in which the



petitioner is involved is highly damaging for the entire society as recruitment into government service has been blatantly attempted by large scale malpractice after taking money, which has caused loss to *bona fide* students and merit has been the casualty.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on bail.

8. Accordingly, the application stands dismissed.

**(Ahsanuddin Amanullah, J)**

Anjani/-

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