

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59865 of 2019

Arising Out of PS. Case No.-167 Year-2019 Thana- TATARPUR District- Bhagalpur

=====

Anita Prasad @ Dr. Anita Prasad Wife of Rajiv Sinha Resident of Mithilesh Colony Bekapur Munger, P.S.- Kotwali, Distt - Munger.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr.Nilesh Kumar

For the Opposite Party/s : Mr.Satyendra Prasad

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

5 04-03-2020 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks pre-arrest bail in connection with Tatarpur (University) P.S. Case No. 167 of 2019 registered under Sections 409, 420 of the Indian Penal Code and Section 10 of the Bihar Examination Conduct Act.

It is submitted by the learned counsel for the petitioner that the question-paper, which went viral in electronic media, was hand-written question-paper and was not a printed one. It is further contended that it was the Examination Controller Dr. U.N. Roy, who had received the question-papers and had sent the same to the University and his signature is present while receiving and sending the question-papers. It is further contended that the question-papers of each subject had to



be sent separately to each examination centre so that there may not be any confusion, but in the instant case, the University had sent the question papers of different subjects in one big packet for which a newspaper report was also published and the same is also evident from the receiving of the Examination Controller of each of the college including B.R.M. College, affiliated to Bhagalpur University. It is further contended that in the entire investigation there is no whisper that the petitioner had any role in any manner in leaking the question-paper before the examination had commenced.

On the other hand, learned counsel for the State has opposed the prayer for grant of pre-arrest bail to the petitioner. On query, he stated that implication of the petitioner in the instant case is on the basis that she was the Centre Superintendent of the College from where the question-paper was pilfered and went viral. He contended that as far as the individual culpability of the petitioner is concerned, there is no material in the case diary.

Regard being had to the submissions advanced at the Bar, in the event of arrest or surrender before the court below, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of



the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-VI, Bhagalpur in connection with Tatarpur (University) P.S. Case No. 167 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Pradeep/-

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

