

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56875 of 2022

Arising Out of PS. Case No.-20 Year-2022 Thana- ECONOMIC OFFENCES, BIHAR
District- Patna

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KESHAV KUMAR JHA @ KESHAV JHA Son of Sri Raj Narayan Jha R/V-
Jhakjhari, Govindpur, Ahiyapur, P.S- Manshurchak, Distt.- Begusarai at
present C/o- Sri Ranjit Kumar, Adarsh Colony, Road No. 4, Khemnichak, P.S-
Patrakar Nagar, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar through (Economic Offence Unit, patna)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kr. Srivastava

For the Opposite Party/s : Mr. Vishwanath Pd. Sinha

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

6 19-06-2023 Heard learned counsel for the petitioner and learned
counsel for the Economic Offences.

The petitioner seeks anticipatory bail in connection with
Economic Offence P.S. Case No. 20 of 2022 registered under Section
420, 467, 468, 120B of the Indian Penal Code read with Section 66
of the I.T. Act and Section 3 and 10 of the Bihar Examination Control
Act, 1981.

Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and is an unemployed
Electronic Engineer teaching in a coaching institute at Bhagalpur, it
is next submitted that the informant alleges that 67th Joint Preliminary
Examination of B.P.S.C. was going to be held at different centres on
08.05.2022 at 12 hours when an information was received in the



Economic Offences Unit, Patna that the question papers were already leaked and it was viral on social media prior to starting of the examination and the students of Veer Kunwar Singh College created a ruckus and walked out of the examination hall and the question paper and the O.M.R. sheet was also made viral on different social media platforms, apart from other allegations as recorded in the FIR.

Learned counsel for the petitioner submits that the FIR was instituted against unknown. The name of the petitioner transpired in the confessional statement of the apprehended accused, it is next submitted that the confessional statement of the accused in custody does not have any evidentiary value, it is next submitted that even the examination which was to be held got cancelled as the question paper was leaked much prior to the time of conduct of the examination i.e., the examination was to be held at 12 noon but the paper at the centre was distributed at 11:00 am itself on account of which the question paper was made viral on different social media platforms. Learned counsel next submits that the allegation against the petitioner is that he also was one of the person who received the question paper for solving it and he after solving the question paper, sent the same back to the person who had sent the question paper to the petitioner and persons like him for solving the same. It is next submitted that allegations are in realm of allegations and the petitioner is an unemployed youth, the examination also got cancelled, as such, none benefited. It is further submitted that the



petitioner will not abscond, rather will cooperate in the investigation as and when required.

Learned counsel appearing for the E.O.U. opposes the prayer for anticipatory bail of the petitioner but is not in a position to rebut the submission of the learned counsel for the petitioner that the examination got cancelled and no candidate benefited on account of leakage of paper on social media as alleged in the FIR.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Economic Offence P.S. Case No. 20 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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