

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80871 of 2024

Arising Out of PS. Case No.-305 Year-2024 Thana- KOTWALI District- Patna

Pankaj Kumar, S/O Ramesh Kumar Singh, R/O Mohalla- Anand Vihar Colony, Near Pathan toli, Hathsarganj, P.S- Hajipur Town, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Banwari Sharma, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 04-12-2024 Heard Mr. Banwari Sharma, learned counsel

 appearing on behalf of the petitioner and Mr. Tapeswar

 Sharma, learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Kotwali P.S. Case No. 305 of 2024, registered for the
offences punishable under Sections 420, 467, 468 and 471 of the
Indian Penal Code.

3. Based upon the written report filed by the Vigilance
Officer, Bihar School Examination Board it is alleged that the
petitioner who had been working as System Analyst and one
Chandan Kishore Suman, Programmer in connivance with each
other manipulated the final result of the students by receiving
some money from the middle man. The matter was inquired and
when his complicity has been found, both the accused persons



including the petitioner tendered their resignation on 27.04.2024 through e-mail, which also fortified their complicity in the crime.

4. Learned Advocate appearing on behalf of the petitioner contended that the petitioner was only holding the post of System Analyst. The work of scanning was done on the basis of outsourcing under the Information and Technology Branch. After scanning of the answer sheets, the scanning prepared CD's were sent to the Examination Controller and the CD's are kept in sealed condition and, as such, the petitioner is no where at this stage. It is further contended that even the written report clearly suggest that the result has finally been amended and the necessary correction has already been made. The petitioner was a victim of circumstances and now the petitioner has already tendered his resignation and, as such, he is no more in service. It is lastly contended that be that as it may, the petitioner bears fair antecedent and he undertakes that he will fully cooperate in the proceeding of the Court.

5. On the other hand, learned Advocate for the State vehemently opposed the pre-arrest bail application and submits that during the course of enquiry, the complicity of the petitioner has transpired in manipulating the result.



6. Regard being had to the submissions made on behalf of the parties and considering the fact that the result of the students in question has already been modified, coupled with his fair antecedent and his resignation, let the petitioner above named be released on bail, in the event of his arrest or surrender before the Court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate in connection with Kotwali P.S. Case No. 305 of 2024, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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