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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 4274/2023**

ANIL KUMAR

..... Petitioner

Through: Mr.Bipin Kr. Jha, Mr. Kapil Dev,
Ms.Ritu and Mr.S.K. Nirala, Advocates

versus

CENTRAL BUREAU OF INVESTIGATION CBI Respondent

Through: Mr.Mridul Jain, SPP for CBI with
Mr.Manoj Kumar, DSP/EO-I

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

12.01.2024

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1. By way of present application filed under Section 439 Cr.P.C., the petitioner/applicant seeks regular bail in FIR No.RC/219/2023/E0015/EO-1/New Delhi registered under Section 420 read with Section 120B IPC and Section 66 of Information Technology Act at P.S. EO-I Delhi.
2. Learned counsel for the applicant submits that the allegations against the present applicant is that, being an employee of TCS, he had replaced two TFTs at the examination centre with modified TFTs. Further, he allegedly supplied answer slips to 7 candidates and also switched off the jammer installed at the examination centre. Learned counsel submits that there is no recovery of answer slips and further submit that the allegations of switching off the jammer is contrary to the report submitted by the Central Observer, AIIMS. The report does not speak of any incident of use of unfair means by



any of the candidates. It is further submitted that the co-accused *namely, Monu Malik, Manjeet Singh and Paramvir* have already released on regular bail.

3. Learned SPP for CBI has vehemently opposed the bail application. He submits that the present case relates to the examination conducted by AIIMS for Nursing Officers Recruitment held at various centres in Delhi, Chandigarh, Punjab, Uttarakhand and other places. The case was registered on account of tweets that circulated on social media about leakage of question paper. Insofar as the present applicant is concerned, the incident of replacement of TFTs was captured on CCTV.

4. The nominal roll of the applicant has been placed on record as per which he is in judicial custody since 16.06.2023 and is not found involved in any other case.

5. Considering the period of custody and the fact that the other accused persons have already been released on bail and that the applicant is not found in any other case, the applicant is directed to be released on regular bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety of like amount to the satisfaction of the concerned Jail Superintendent/Duty M.M./Trial Court and subject to the following further conditions:-

- (i) The applicant shall not leave the NCT of Delhi without prior permission of the concerned Court.
- (ii) At the time of furnishing bail bond, the applicant shall provide the mobile number, which he undertakes to keep operational at all times during the pendency of the trial.
- (iii) In case of change of residential address or contact details,



the petitioner shall promptly inform the same to the concerned IO as well as to the concerned Court.

(iv) The applicant shall not directly/indirectly try to get in touch with the complainant or any other prosecution witnesses or tamper with the evidence.

(v) The applicant shall regularly appear before the concerned Court during the pendency of the trial.

6. The application stands disposed of in the above terms.

7. Copy of this order be communicated electronically to the concerned Jail Superintendent for information.

8. Copy of this order be uploaded on the website forthwith.

9. Needless to state that nothing observed hereinabove shall amount to an expression on the merits of the case and shall not have a bearing on the trial of the case as the observations are only for the purpose of the disposal of the present application.

DASTI.

MANOJ KUMAR OHRI, J

JANUARY 12, 2024

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