

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60918 of 2024

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

Chandan Kishor Suman @ Chandan Kishore Suman, Son of Shri Ashwini Kumar Prabhakar, Resident of Village - Nijhra, P.O. and P.S. - Sigori, District - Patna

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Secretary, Bihar School Examination Board, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ajay Thakur, Advocate
For the Opposite Party/s :	Mr. Satyabir Bharti, Advocate
	Ms. Kanupriya, Advocate
	Mr. Abhishek Anand, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

7 24-01-2025 Heard Mr. Ajay Thakur, learned Advocate appearing on behalf of the petitioner and Mr. Satyabir Bharti, 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 467, 468, 471 and 420 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 Assistant Programmer of 10+2 examination alongwith Pankaj Kumar, System Analyst, manipulated the final result of the students by extracting money



from them through the middle-men. The matter was inquired and when the 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 in fact it is the admitted position that the petitioner had been working as an Assistant Programmer of 10+2 examination, however, the entire allegation of manipulation is with respect to the final result of matriculation. It is further contended that even during investigation, no material has collected to show that either any money has been exchanged for changing the result of any student or any case has been instituted against the beneficiaries. On account of some internal fault of agency, as well as, controller of examination, discrepancies have been cropped up, which resulted into lodging of the FIR. Taking note of the aforesaid facts and on being found that the result has finally been amended and the necessary correction has already been made, this Court has accorded the privilege of anticipatory bail to co-accused Pankaj Kumar in Criminal Miscellaneous No. 80871 of 2024 vide order dated 04.12.2024. Learned Advocate for the petitioner submits at the



Bar that the petitioner undertakes that he will fully cooperate in the investigation and the proceeding of the Court.

5. On the other hand, learned Advocate for the Board referring to the counter affidavit as well as supplementary affidavit has vehemently contended that the petitioner is the person who alongwith co-accused Pankaj Kumar has made all interpolation in the matriculation result, while he was discharging the duty as Assistant Programmer. Referring to the joint inspection report it is further contended that the agency, which was assigned the duty of tabulation of the mark-sheet of all the students, has assigned the password protected C.D. to co-accused Pankaj Kumar, System Analyst. Pankaj Kumar in collusion with this petitioner after making all the interpolation in the C.D., has handed over the same to the result processing agency and by this way the candidates, who have secured lesser marks, have been awarded higher marks. During the course of investigation various materials have collected against the petitioner, suggesting his complicity in the crime. It is lastly contended that in order to evade from the clutches of the rigors of prosecution, the petitioner has tendered his resignation.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of allegation,



which is based upon the scientific investigation and the documentary evidence, moreover, co-accused person having identical allegation has been allowed anticipatory bail by this Court and the petitioner bears fair antecedent and he undertakes before this Court that he will fully cooperate in the investigation and shall ensure his presence whenever his need arises, 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, Patna 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)

supratim/-

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

