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

+ **BAIL APPLN. 751/2025 & CRL.M.A. 5492/2025**Exemption

**AKHLENDRA KUMAR @ AKHLENDRA PASWAN.....**Petitioner

Through: Mr. Kashmir Singh & Mr. Sachin  
Kumar, Advs.

versus

**THE STATE GOVT. OF NCT DELHI**

.....Respondent

Through: Ms. Shubhi Gupta, APP for the State.  
ACP Sanjeev Kr. Gautam, P.S. Ashok  
Vihar.

**CORAM:**

**HON'BLE MR. JUSTICE AMIT SHARMA**

**ORDER**

% **20.02.2025**

1. This hearing has been done through hybrid mode.
2. The present application under Section 482 of the BNSS read with Section 528 of the BNSS seeks anticipatory bail in case FIR No. 307/2024 under Sections 319(2)/318(3)/336(3)/338/340(2)/61(2) of the BNS and Section 10 of the Public Examination (Prevention of Unfair Means) Act, registered at P.S. Ashok Vihar, Delhi.
3. The case of the prosecution is that on 11.08.2024 Ms. Manjeet Kaur, Principal Guru Angad Public School filed a complaint wherein she alleged that an examination was being conducted by CBSE for the post of Assistant Secretary (Administration) CBSE in her school and during the said examination she received a call from the official of CBSE that biometric of a candidate namely Himanshu Kumar did not match. It is further alleged that after receiving the call she alongwith her staff members enquired from the candidate who was giving the examination and during enquiry it was found



that one Pramod was giving the examination in place of the real candidate Himanshu. It was further alleged that Pramod was in possession of the fake Aadhar Card of the real candidate Himanshu.

4. During the course of investigation, the said Pramod Kumar was arrested, who disclosed that he was appearing in the said examination in the place of his known person Himanshu Kumar and his relative i.e. the present applicant. He further stated that the present applicant had prepared a fake Aadhar Card by morphing his photograph on it in the place of the real candidate, and the same was provided to him by the present applicant to use in examination.

5. The aforementioned Pramod Kumar and Himanshu Kumar were arrested. It is pointed out that Pramod Kumar has been granted bail and Himanshu Kumar is still in custody.

6. Learned counsel appearing on behalf of the applicant submits that pursuant to the interim protection granted by the learned ASJ while his anticipatory bail was pending, he had joined the investigation. It is submitted that he is a Government servant and that no custodial interrogation is required from the present applicant and that he should be granted anticipatory bail.

7. *Per contra*, learned APP for the State, on the instructions of the IO, submits that the applicant did join the investigation but he did not cooperate in the same. The applicant never disclosed the source of the fake Aadhar Card which was allegedly provided by him to Pramod Kumar for sitting in the examination. It is further submitted that earlier also he was absconding and the process under Section 84 of the BNSS had been initiated against him.

8. Heard the learned counsel for the parties and perused the records.

9. On a pointed query, learned counsel appearing on behalf of the



applicant submits that Himanshu is his relative and Pramod Kumar is his friend. It is also noted that co-accused Pramod Kumar during his interrogation has disclosed that the present applicant had provided him the fake Aadhar Card by morphing his photograph in the place of real candidate Himanshu Kumar. It is also pointed out that the applicant was in continuous touch with the co-accused Himanshu and Pramod, which is reflected from his CDR.

10. In the considered opinion of this Court, the custodial interrogation of the present applicant is required to unearth the conspiracy hatched with the purpose of cheating the system of selection of candidates for a government job. The present offence is serious in nature and the applicant being a government servant and being involved in such an offence is also a factor which needs proper investigation.

11. In the circumstances, the application is dismissed and disposed of.

12. Pending application (s), if any, also stands disposed of.

13. Needless to state that nothing mentioned herein is an opinion on the merits of the case and any observations made are only for the purpose of the present application.

14. Order be uploaded on the website of the Court *forthwith*.

**AMIT SHARMA, J**

**FEBRUARY 20, 2025/nk/pr**

*Click here to check corrigendum, if any*