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

+ **BAIL APPLN. 4239/2024 & CRL.M.(BAIL) 1931/2024**

RAVIKANT KUMAR

.....Petitioner

Through: Mr. Khagesh B. Jha, Ms. Shikha Sharma Bagga, Mr. Ankit Mann and Ms. Jyoti, Advocates.

Versus

STATE OF NCT OF DELHI

.....Respondent

Through: Ms. Shubhi Gupta, APP for the State with SI Vikash Fageria, P.S. Rajouri Garden.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER
24.04.2025

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1. This hearing has been done through hybrid mode.
2. The present application under Section 482 of the BNSS seeks anticipatory bail in case FIR No. 950/2023, under Sections 419/420 of the IPC (Sections 319(2)/318(4) of the BNS), registered at P.S. Rajouri Garden.
3. The case of the prosecution is that on 23.12.2023, a PCR call *vide* GD No. 64A was received at P.S. Rajouri Garden with regard to one fake candidate appearing in place of another candidate by impersonation in EMRS (Eklavya Model Residential School) recruitment competitive examination which was being conducted in Kendriya Vidyalaya. E-Block, Tagore Garden. On reaching the spot, Dr. Sanjay Kumar, Principal of the said school gave a



written complaint and one Avinash Kumar was apprehended who was appearing in place of Neeraj Kumar Meena for the post of Lab Attendant. Thereafter on the registration of the FIR, investigation started and an aadhar card in the name of Neeraj Kumar Meena having a photo of Avinash, who was impersonating him, was recovered from his possession. During investigation, it is alleged that the aforesaid Sahil Kumar @ Avinash disclosed that he alongwith the present applicant and Roop Singh Bairwa and Neeraj Kumar Meena hatched a conspiracy to appear in the said exam in the place of Neeraj Kumar Meena who was known to Roop Singh Bairwa. He further disclosed that he came in touch with the present applicant while studying in a coaching centre. He further disclosed that the present applicant had forged/morphed the aadhar card and admit card of the candidate, Neeraj Kumar Meena.

4. Learned counsel for the applicant submits that the latter was known to Avinash Kumar as a friend and was in regular touch with him. It is further submitted that *vide* order dated 08.01.2025, this Court had given interim protection to present applicant to join the investigation. It is further submitted that the transaction relied upon by the prosecution is being explained by the applicant that he had given a loan to the aforesaid Avinash Kumar, who was repaying him by way of amount credited to his account. It is further submitted that the applicant has been cooperative with the investigation.

5. *Per contra*, learned APP for the State submits that the accounts show that the money was transferred to the present applicant's account and as per the disclosure statement, it was the present applicant who had morphed the Aadhar card of the aforesaid candidate.

6. On a pointed query, it is submitted that apart from the aforesaid



transaction, there is no connection of co-accused, Roop Singh Bairwa, with the present applicant. It is the admitted case of the prosecution itself that the co-accused, Avinash Kumar, was known to the present applicant. The transactions as relied upon by the prosecution are a matter of trial for which the applicant has come forward with an explanation, which will be tested during the course of the trial.

7. In totality of the facts and circumstances of the case, the present application is allowed. In the event of arrest, the applicant is directed to be released on bail on his furnishing personal bond of Rs. 50,000/- with one surety of like amount to the satisfaction of the Investigating Officer/Arresting Officer, further subject to following conditions:

- i. The applicant shall not leave the country without prior permission of the learned Trial Court.
 - ii. The applicant shall intimate the learned Trial Court by way of an affidavit and to the Investigating Officer regarding any change in residential address.
 - iii. The applicant shall appear before the learned Trial Court as and when the matter is taken up for hearing.
 - iv. The applicant shall join the investigation as and when called by the Investigating Officer concerned.
 - v. The applicant will not try to influence the witnesses in any manner.
 - vi. The applicant shall provide his mobile number to the Investigating Officer and intimate about any change.
8. The application is allowed and disposed of accordingly.



9. Pending applications, if any, also stand disposed of.
10. Needless to state that, nothing mentioned hereinabove, is an opinion on the merits of the case and any observations made herein are only for the purpose of the present bail application.
11. Order be uploaded on the website of this court *forthwith*.

AMIT SHARMA, J

APRIL 24, 2025/bsr

Click here to check corrigendum, if any