

In the Court of Sri Dipankar Pandey, Principal District & Sessions Judge, Bhagalpur, B.A. No. 368/2026 Ankit Kumar Vs. The State of Bihar, B.A. No. 369/2026 Karan Singh Vs. The State of Bihar and B.A. No. 371/2026 Shivam Kumar @ Bhushan and others Vs. The State of Bihar, order dated 18-04-2026.

IN THE COURT OF PRINCIPAL SESSIONS JUDGE, BHAGALPUR

Bail Application No. 368/2026

Ankit Kumar Versus The State of Bihar,

Bail Application No. 369/2026

Karan Singh Versus The State of Bihar,

Bail Application No. 371/2026

Shivam Kumar @ Bhushan & others Versus The State of Bihar,

Habibpur P.S. Case No. 223/2025

Counsel for the Petitioners :- Sri Anjani Kumar, Advocate.

:- Sri Prabhat Ojha, Advocate.

For the State :- Sri S.N.P. Sah, Public Prosecutor.

Date of Order	Order with Signature of the Court
1	2
18-04-2026	1. B.A. No. 368/2026 has been filed on behalf of accused/petitioner Ankit Kumar, B.A. No. 369/2026 has been filed on behalf of accused/petitioner Karan Singh and B.A. No. 371/2026 has been filed on behalf of accused/petitioners. 1. Shivam Kumar @ Bhusan, 2. Sumit Kumar, 3. Gautam Kumar, 4. Bunty Kumar and 5. Nitish Kumar. All these three bail applications arise out of the same case i.e. Habibpur P.S. Case No. 223/2025, instituted for offences u/s 318(4), 319(2), 338, 336(3), 340(2), 61(2), 111 of B.N.S., sections 65, 66C, 66D of I.T. Act & sections 9, 10 & 11 of Public Examination (Prevention of Unfair means) Act 2024. The petitioners are in custody since 26-12-2025. Since, all the three aforesaid bail applications arise out of same case, hence, all the three have been taken up together for hearing & disposal by a common order. 2. Heard Sri Anjani Kumar and Sri Prabhat Ojha, learned counsels for the petitioners and Sri S.N.P. Sah, learned Public Prosecutor for the State. 3. Prosecution case as stated in the First Information Report is that on 24-12-2025 at about 9.35 P.M., the informant S.I.-cum-S.H.O. Pankaj Kumar of Habibpur P.S., received an information that one Karan Singh who has arrived to Bhagalpur from Aligarh to appear in Delhi Police Constable Examination has been kidnapped and the kidnappers are demanding Rs. 2 Lacs by way of ransom. The police further came to know that the said Karan Singh was supposed to appear at the examination centre namely, Ang institute situated at Lajpat Nagar, Datawat under Habibpur P.S. Upon receipt of information when the police team reached at Lajpat Nagar, Datawat centre, it came to know that

Contd. 18-04-2026	the employees of Ang institute are residing in the house of Murari Yadav as renter situated just in front of the Ang institute, hence, the police went to the house of Murari Yadav where informant has found 6-7 person standing there, who after having seen the police team tried to flee away, however, they were apprehended and upon being asked they disclosed their names as these petitioners. The police further came to know that one of the apprehended person namely, Karan Singh is in fact is the person with regard to whom the information of kidnapping was received. Accordingly, the police apprehended all the person and brought them to police station where in course of interrogation one of the accused petitioner Sumit Kumar has disclosed that he is the owner of Ang institute and he along with some other persons are running a syndicate where they are providing illegal help to some targeted candidates in clearing the online examination by adopting unfair means during the examination. On the basis of the information received from the petitioner Sumit Kumar, the rented room of Sumit was searched and in course of search several incriminating articles were recovered. The other accused persons apprehended on the spot have also disclosed that they were charging huge amount from some targeted candidates in order to provide them illegal help in clearing the examination, accordingly, all the accused persons including the so called victim Karan Singh were arrested and were remanded to judicial custody. On the basis of aforesaid information the present case was lodged and the police started investigation. 4. Learned counsels for the petitioners submit that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. Entire allegation against the petitioners is false and concocted. In fact, the petitioners have been implicated in this case only on the basis of suspicion as such no case is made out against the petitioners. The petitioners bears clean antecedent and they are in judicial custody since 26-12-2025. It has further been submitted that earlier bail application were filed on behalf of petitioners before this court which were rejected with observation that the petitioners may renew their prayer for bail after submission of charge sheet which will be considered on the basis of materials available on record. It has been submitted that no any fresh material has come and now charge-sheet has been submitted
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Contd. 18-04-2026	in this case. The learned counsel referred para 12 of The Public Examinations (Prevention of Unfair Means) Act, 2024 and submitted that an officer not below the rank of Deputy Superintendent of Police or Assistant Commissioner of Police shall investigate any offence under this Act but the present case has been investigated by a Sub-Inspector of Police and hence entire investigation of the case failed. Hence, the petitioners deserve bail. 5. The Learned P.P. vehemently opposed the prayer for grant of bail to the petitioners. 6. Perused the case record as well as case diary. In course of investigation at para 2 the contents of seizure list has been mentioned. The restatement of informant has been mentioned at para 3 of the case diary whereas at para 4 and 5 the statements of witnesses has been recorded and from perusal whereof it transpires that the witnesses have supported the entire prosecution case. The confessional statement of petitioners Sumit Kumar and Karan Singh has been mentioned at para 7 & 8 of the case diary and from perusal whereof it transpires that the petitioners have very categorically admitted their guilt as regard to their involvement in online examination fraud. As per para 33 of the case diary which is the contents of another seizure, it transpires that some digital articles were recovered from the house of co-accused Anupam Saurabh at the instance of accused Sumit Kumar. The confessional statement of co-accused Anupam Saurabh is mentioned at para 43 of the case diary. As per para 66 of the case diary, it transpires that on 31-12-2025 when the I.O. of the case in presence of deputed Magistrate searched the CCTV Camera of Ang Institute, Lajpatnagar, one Kumar Sanu, who is City Head of Eduquity Company and the said Eduquity Company authorized to organize the SSC Examination on contract basis, came to know how the examination fraud was being committed with regard to the petitioner Karan Singh. It has been mentioned in the said paragraph that at about 18.28 hours all cameras of exit area of the examination center were closed so it could not be traced out when petitioner Karan Singh came out from the examination center. It has also been mentioned that the time of starting the cameras of examination center is 06.30 AM and they were closed at 19.00 PM whereas there is direction of SSC that all cameras of examination center will be in functioning mode twenty four
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Contd. 18-04-2026	hours. The contents of seizure list of the digital articles recovered from Ang institute is mentioned at para 67 of the case diary. The contents of What's App chat between the accused petitioners is mentioned at para 68 of the case diary from which it appears that accused persons under planning how to illegally manage the said exam and take money from the candidate etc. Para 69 of the case diary relates to the What's app chat held between the accused persons during examination held on 23 and 24 December, 2025. Further, at para 70 of the case diary What's App chat held between petitioners Gautam Kumar and Sumit Kumar is mentioned which was held between them during the examination dated 23 and 24-12-2025 whereas during exam no one is allowed to keep phone with him. So it is found that unlawfully bypassing the system gives access to the solver sitting at a distant place, examination of some selected candidates are being conducted by getting the system restarted. At Para 71 of the case diary description of the chat between Gautam Kumar and Mukesh has been mentioned which shows that Mukesh brings candidates and does setting with the engineer and during exam after restart bypasses the system and gives access to the solver sitting at a far distance who writes the exam for selected candidates. The contents of confessional statement of petitioner Gautam Kumar is mentioned at para 101 of the case diary. As per para 112, 113, 114, 115, 116 and 117 of the case diary petitioners Ankit Kumar, Gautam Kumar, Sumit Kumar, Nitish Kumar, Banti Kumar, co-accused Anupam Saurabh and petitioner Shivam Kumar @ Bhushan bear clean antecedent. At para 120 of the case diary, the Supervision note of S.D.P.O. has been mentioned wherein the prosecution case has been found true against the petitioners. The investigation of the case is still going on. 7. After having gone through the documents & the materials available on record, this court finds that the accused petitioners are named in the FIR against whom there is an allegation that the petitioners were running a syndicate for committing online examination fraud. It has specifically been alleged against the accused petitioners that they were running an online examination center in the name of Ang Institute at Lajpat Nagar, Datawat under Habibpur P.S. in which they used to provide illegal assistance to some candidates by adopting unfair means and in lieu of that they were charging huge amount from the
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Contd. 18-04-2026	candidates. It appears that when information as regard to the kidnapping of petitioner Karan Singh, when the police inquired, it revealed the aforesaid fraud, the police lodged the present case, arrested the accused/petitioners and started to investigate into the matter. In course of investigation the accused petitioners have very categorically admitted their guilt as regard to their involvement in aforesaid online examination fraud. The police further seized mobile phones of the accused petitioners and from close scrutiny of the What's App chats among these petitioners it transpires that the accused petitioners were providing illegal assistance in order to enable the targeted candidates to pass the examination. 8. During course of hearing, the learned counsel given much stress on the point that the case has been investigated by an Officer below the rank of Deputy Superintendent of Police or Assistant Commissioner of Police and hence entire investigation of the case failed but from perusal of Para 125 and 126 of the case diary it appears that the investigation has been taken by Ajay Kumar Choudhary, Dy. S.P., Town-01, Bhagalpur. 9. Though, charge sheet against the petitioners has been submitted in this case but investigation against other accused persons as well as against these petitioners is continuing on several points and enlarging the petitioners on bail, it might hamper further investigation as it relates to Cyber offence as well (vide para 129 of the case diary) 10. In 2025 INSC 341, in similar nature of offence certain view of the Hon'ble Apex Court has been mentioned at para 10 and 11 which is as follows : In India, the reality is that there are far more takers of Government jobs than there are jobs available. Be that as it may, each job which has a clearly delineated entry process- with prescribed examination and/or interview process, has only to be filled in accordance thereof. Absolute scrupulousness in the process being followed instills and further rejuvenates the faith of the public in the fact that those who are truly deserving of the positions, are the ones who have deservedly been installed to such positions. Each, such as the one allegedly committed by the petitioners represent possible chinks in the faith of the people in the public administration and the executive. Since surely, there must have been
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thousands of people who appeared for the exam, and the petitioners, for their own benefit, tried to compromise the sanctity of the exam, possibility affecting so many of those who would have put in earnest effort to appear in the exam in the hopes of securing a job, I am of the view that the petitioners are not entitled to the benefit of bail.

11. Hence, considering the aforesaid facts and circumstances of the case, as discussed above, this court is not inclined to enlarge the petitioners on bail. Accordingly, the prayer for bail of above named seven petitioners is hereby **Rejected.**

12. Thus, all these three bail application stands disposed of.

Sd/-
(Dipankar Pandey)
Principal Sessions Judge.

Date of Judgment/Order	18-04-2026
Date of Reserving Judgment/Order	N/A
Uploading Date	20-04-2026
Uploaded by	R.B.D. Tripathi, Steno