

A.B.P. No. 276 / 2026

(Arising out of Bihar Sharif P.S. Case No. 438/2023)

Vikash Kumar**V/s.****State of Bihar**

Sl. No	Date of order or Proceeding	Order with the signature of the Court	Office action taken with date
	10-06-2026	The anticipatory bail petition dated 06.02.2026 received to this Court on 09.02.2026 filed on behalf of the petitioner Vikash Kumar, who is apprehending his arrest in connection with Bihar Sharif P.S. Case No. 438/2023 registered u/s 419, 420, 468, 471, 34 of the I.P.C. & 10 Bihar Conduct Examination Act & 66(D) I.T. Act, has been placed before me for order after hearing, a copy of it has already been supplied to the learned P.P. Heard the learned counsel Sri Barun Kumar for the petitioner as well as the learned P.P. Sri Anuj Kumar on behalf of the State. The prosecution story as per the written report of the informant Niraj Kumar Singh, S.I.-cum-SHO, Bihar Sharif P.S., in brief, is that on 14.05.2023 at about 08:30, the informant along with other Police personnel proceeded for maintaining law and order in the written examination of constables in Excise Department. During course of that at about 10:30 AM, he received the information on his mobile that a boy and a girl are sitting in the ground inside the Physical Academy and are talking to the candidates and making malpractices in the examination centre. Then, the informant along with Police personnels reached there at 10:45 O' Clock and saw that a girl and a boy are sitting at a place and talking on walkie-talkie and seeing the Police, they tried to flee away who were apprehended and on being asked they told their names as Saurav Kumar and Hasina Kumari. On search one black big screen touch mobile of Oppo company and walkie-talkie in which wire of earphone was attached were recovered from Hasina Kumari while she was talking and a walkie-talkie in which wire of earphone was attached and a green big touch screen mobile of Realme company and a backpack containing a copy in which the transactions of Rs. 1,40,000/- was written, a Bluetooth device, a charger of walkie-talkie and an admit card of Dharmendra Kumar issued from CSBC were recovered from the accused Saurav Kumar. The whatsapp of the mobile which was recovered from Hasina Kumari was checked and it was found that a whatsapp group in the name of GIC is there and the mobile number of group admin Vikash Kumar is 9155709564 and 39 mobile numbers (as mentioned in the FIR) are connected with this group. It was also found that the answer key in 13 pages has been sent by the Group Admin Vikash Kumar. The mobile of Saurav Kumar was also checked and a whatsapp group in the name of GIC was found in that in which also the said 39 mobile numbers were connected and in that group also the answer key of 13 pages was there which was sent by the Group Admin Vikash Kumar. The apprehended accused Saurav Kumar and Hasina Kumari told that they were doing malpractices by providing the answers to the students in the said examination through walkie-talkie and the main accused of this setting group is Vikash Kumar whose mobile number is 9155709564. Accordingly, the seizure list was prepared. On being asked about the admit card which was recovered from the bag, the accused persons told that one aspirant Dharmendra Kumar is giving the exam in Sadre-Alam Memorial School, Kagazi Mohalla with the help of Bluetooth device which he has put in his ear and they are solving the questions. The informant along with other	

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	Contd. 10-06-2026	Police personnel reached there and searched the ear of the aspirant Dharmendra Kumar, one small Bluetooth from his left ear and a device which was hidden in his pant was recovered from him. On being asked, Dharmendra Kumart told that he has made a deal with the accused Vikash Kumar for constables recruitment examination and for that he has given an advance of Rs. 40,000/- to Vikash Kumar and he has given this Bluetooth device to him. Accordingly, the seizure list was prepared. The learned counsel for the petitioner has submitted that the petitioner is innocent and has committed no offence rather he has falsely been dragged and implicated in the present case. The petitioner was neither present on the examination centre nor any article related to the offence has been recovered from his possession. The petitioner was not involved in the present offence so neither Section 420 IPC nor Section 468 IPC and Section 10 of the Examination Act or 66(D) of the I.T. Act are made out. Other accused persons Saurav Kumar and Dharmendra Kumar have been granted bail by the Court below though their name has been taken by Hasina Kumari. The petitioner is a student and having clean antecedent. On these facts, he prayed that the petitioner be granted anticipatory bail. The learned P.P. vehemently opposed the prayer for anticipatory bail and submitted that the petitioner is the main accused of the organized crime. Having gone through the case record, it appears that this case has been registered u/s 419, 420, 468, 471, 34 of the I.P.C. & 10 Bihar Conduct Examination Act & 66(D) I.T. Act and the allegation against the petitioner is that when the informant, after receiving the information that a boy and a girl are sitting in the ground inside the Physical Academy and they are talking to the aspirants of examination of constables in Excise Department and adopting unfair means of examination, reached there along with Police personnel, he found that the accused Saurav Kumar and Hasina Kumari are talking on walkie-talkie and seeing the Police they tried to flee away and they were apprehended and from their possession Bluetooth device, mobile phones containing Whatsapp group in the name of GIC with which 39 phone numbers were connected and other articles were found. It was found that the petitioner is the Group Admin and he has sent the answer key of 13 pages to the apprehended accused persons. The apprehended accused persons also told that they are adopting unfair means in the said examination through walkie-talkie and the petitioner is the main accused of this organized gang. Further, when the informant went to Sadre-Alam Memorial School where one aspirant Dharmendra Kumar was giving the examination whose admit card was recovered from the apprehended accused Saurav Kumar, one small Bluetooth from his left ear and a device hidden in his pant was recovered and Dharmendra Kumar told that he has made a deal with the petitioner for the aforesaid examination and for that he has given Rs. 40,000/- to the petitioner and the petitioner has given this	

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	Contd. 10-06-2026	Bluetooth device to him. This shows the involvement of the petitioner in the alleged organized crime. Further, paras-3, 4 & 5 the case diary reflect that the witnesses in their statement have supported the case of the prosecution against the petitioner. The case is still under investigation. Also, the regular bail of the co-accused Hasina Kumari has already been rejected by the learned Addl. Sessions Judge-V, Nalanda at Bihar Sharif. Thus, considering the aforesaid facts and circumstances of the case, I am not inclined to admit the petitioner Vikash Kumar on anticipatory bail. Accordingly, his prayer for anticipatory bail stands rejected. Dictated & corrected Sd/- (Khyati Singh) Addl. Sessions Judge 2nd Nalanda at Bihar Sharif <table><tr><td>Date of Judgment/Order</td><td>10-06-2026</td></tr><tr><td>Date of Reserving Judgment/Order</td><td>-</td></tr><tr><td>Date of Uploading</td><td>18-06-2026</td></tr><tr><td>Uploaded by</td><td>kundan</td></tr></table> Memo No./2026, Dated Copy of order forwarded to the Court of J.M.-1st Class, Ms. Pallavi Varsha, Bihar Sharif, Nalanda for information and needful. (Khyati Singh) Addl. Sessions Judge 2nd Nalanda at Bihar Sharif	Date of Judgment/Order	10-06-2026	Date of Reserving Judgment/Order	-	Date of Uploading	18-06-2026	Uploaded by	kundan	
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