

In the Court of Smt. Madhu Agrawal, District and Addl. Sessions Judge Ist-cum-Special Judge of SC/ST Act, Sheikhpura.

Anticipatory Bail Petition. No. 72/2026.

Sheikhpura P.S. Case No:- 14/2026

Shobhi Kumar, Aged about - 23 years, S/o – Sanjay Paswan

Resident of Village - Paparनासा, P.S – Nursarai, District - Sheikhpura

..... Accused/petitioner.

Versus

The State of Bihar.

o.p.

.....

For the petitioner:-

Sri Ramjanma Prasad Singh, Ld. Advocate

For the State:-

Sri Shambhu Sharan Singh, Ld. Addl. P.P

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ORDER

11.03.2026. Anticipatory Bail petition filed on behalf of the accused/petitioner namely Shobhi Kumar, who is apprehending his arrest in connection with Sheikhpura P.S. Case No. 14/2026, under sections - 319 (2), 318(4), 338, 336(3), 340(2), 112(2), 3 (5) of B.N.S & 10 Bihar Conduct of Examination Act 1981, is moved today.

Heard the learned Counsel for the petitioner and the learned Addl. P.P. for the state.

The prosecution case in brief is that informant Sunidhi Sanchita, S/o Mahesh Kumar, Vill. Subhasnagar, Chhota Govindpur, P.S Parsudih, District: East Singhbhum, State Jharkhand, is a permanent resident. Informant is currently posted at Middle School, Pachna, stating therein that today on dated 21.01.2026, she was working as an invigilator in the preliminary written examination for the post of Sub-Inspector of Police, 2026, advertisement number 05/2025, at center number 4802, DM Model Higher Secondary School, room number 08. Along with her, as an assistant invigilator, was Mohammad Zahid Ashrafi, S/o Mohammad Salim Ashrafi was working as an invigilator at Kamalpur Ansar Nagar, P.S Bundelkhand, District Nawada. During the examination period, at about 3:00 pm, during the course of investigation, it was found that the face of candidate No. 6248020328,

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Name: Shobhi Kumar, S/o Sanjay Paswan, Village Paparnosa, Post: Machhaldih, P.S Noorsarai, District Nalanda, Date of Birth 28/02/2003, Aadhaar No. 470941200985, did not match the photo on the admit card and the photo on the attendance sheet. She immediately informed the Centre Superintendent and Static Magistrate about this. After questioning, the impersonating person revealed his real name as Kundan Kumar, S/o Umesh Chaudhary, Village Belsar, P.S. Noorsarai, District Nalanda. He had come to give the exam with Shobhi Kumar's admit card. After questioning, he stated that he had been sent to appear in the examination in place of Shobhi Kumar by 1. Sonal Kumari, D/o Kishori Paswan, resident of Khandakpar, P.S Biharsharif, District Nalanda, and 2. Rajiv Kumar, S/o Prakash Paswan, resident of Saidi, P.S Noorsarai, District Nalanda, those who are present outside. They had given him fifty thousand rupees for this work. During the investigation, Shobhi Kumar's admit card and Aadhaar card were seized and the local police station was informed. When the local police came at the examination center, they handed over the said person along with the seizure list and application etc.

The learned counsel for the petitioner submitted that the petitioner is quite innocent and there is no specific allegation against the petitioner. It has been further submitted that no bail petition filed earlier either B.P. or A.B.P before this court or Hon'ble High Court, Patna. It has been further submitted that there is no criminal antecedent against the petitioner. It has been further submitted that there is no material to connect the accused in the crime. It has been further submitted that the informant has not disclosed about complicity in the offence of the petitioner. It has been further submitted that there is no any documentary evidence against the petitioner. It has been further submitted that the petitioner is neither present even nearby nor his parents or any close relatives. It has been further submitted that the petitioner is a victim in his occurrence committed in conspiracy with the targeted by any enemy of petitioner either known or unknown. It has been further submitted that the petitioner is ready to file undertakings as per provision of B.N.S.S. under Section of 482(2).

On the other hand, the learned Addl. P.P. for the state vehemently opposed the prayer of bail and submitted that the allegation of the informant corroborates with the seizure list. This is a case of cheating and forgery. The allegation is serious in nature. The investigation is in progress.

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I have heard the rival submission of both the parties and perused the case record along with the case diary. The petitioner is named in the FIR. As per the FIR the accused Kundan Kumar was caught red handed in the process of impersonating the accused petitioner and material evidence comprising of edited identity documents were recovered from him. The accused petitioner has been named specifically by the arrested accused persons. The allegation of the informant corroborates with the seizure list. There is sufficient material in the case diary to show the complicity of the accused petitioner in the alleged offences. Malpractices in competitive exams have the ability to undermine the whole selection process. Hence a prima facie case of impersonating and cheating are made out against the accused petitioner and detailed and thorough investigation is needed. As para 3 of the bail petition the petitioner bears no any criminal antecedent.

Considering the aforesaid facts and circumstances of the case, nature of allegation, gravity of offences, material available on the record and the red hand arrest of the accused who was giving the exam on behalf of the petitioner and recovery of Aadhar Card and admit card with the petitioner name from the said accused person and investigation is in progress, I am not inclined to enlarge the accused petitioner on Anticipatory bail. Accordingly, the prayer of Anticipatory bail of the accused petitioner namely Shobhi Kumar, is rejected.

Any observation made herein will be inconsequential during trial or any further stage of the case.

Dictated.

Distt. and Addl. Sessions Judge-1st
- cum Special Judge, SC/ST Act,
Sheikhpura.
11.03.2026

Date of Judgment /Order	11.03.2026
Date of Reserving Judgment/Order	11.03.2026
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