

B. P. No. 257/2026

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

B. P. No. 257/2026
Sheikhpura P.S Case No. 14/2026

Rajeev Kumar, aged about 36 Years, S/o Prakash Paswan

Resident of village - Saidy, P.S - Noorsarai, District - Nalanda,

..... Accused/petitioner.

Versus

The State of Bihar.

o.p.

.....

For the petitioner:-

(1) Sri Banarsi Prasad Yadav, Ld. Advocate

(2) Sri. Abhishek Anand, Ld. Advocate

For the State:-

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

.....

ORDER

11.03.2026 Bail petition filed on behalf of the accused/petitioner namely Rajeev Kumar, who is in custody since 22.01.2026, 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 Bun-

B. P. No. 257/2026

delkhand, 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, 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 Bel-sar, 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 Khandak-par, 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 the accused petitioner is in judicial custody since 22.01.2026. It has been further submitted that FIR has been lodged against the petitioner 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, in which Sec. 319(2) and 340(2) are bailable in nature and another section is not made out against the petitioner. It has been further submitted that it is clear from the FIR that the police did not arrest the petitioner at the place of the incident, they forcibly arrested the petitioner at his home based solely on the confession statement of the accused, Kundan Kumar. It has been further submitted that the petitioner is a driver who earns his living by driving. It has been further submitted that the petitioner is a law-abiding person and has not committed any crime and is not likely to flee.

B. P. No. 257/2026

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.

I have heard the rival submissions of both the parties and perused the case record along with the case diary. The petitioner is named in the FIR. Cheating and impersonating candidates appearing in examination is a racket and organized crime run by several persons in conspiracy with one another in a pre-planned manner. In the present case accused Kundan Kumar who was impersonating disclosed the name of accused petitioner Rajiv Kumar and Sonal Kumari that these two accused persons gave him Rs. 50,000/- for appearing in examination and after completion of examination both these accused persons will pay him the remaining money and in the course of disclosure, accused Kundan Kumar also stated that accused petitioner Rajiv Kumar and Sonal Kumari were standing outside the examination centre and on the basis of that disclosure the accused petitioner Rajiv Kumar and accused Sonal Kumari were arrested. During search one blue colour mobile of Oppo Android was found from the possession of the accused petitioner. Upon the examination of the said mobile different admit cards and chats related to examination was found. This kind of racket for academic as well as recruitment examination has become normal phenomena in the state of Bihar. This conspiracy of impersonation in examination was done under the secrecy in a pre-planned manner in which all the FIR named accused persons were engaged and a prima facie case of impersonating, cheating in an organized manner by several persons are made. There is sufficient material in the case diary to show the complicity of the accused petitioner in the alleged offences. The investigation is in progress. As para 3 of the bail petition & para 22 of the case diary the petitioner has no any criminal antecedent.

Considering the above- mentioned facts and circumstance of the case, nature of allegation, gravity of the offences, materials available on the record and investigation is in progress, I am not inclined to enlarge the accused petitioner on bail. Accordingly, prayer for grant bail of the accused petitioner namely Rajeev Kumar, is hereby rejected.

B. P. No. 257/2026

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
Uploading date	12.03.2026
Uploaded by	Md. Reyazul Haque