

State v. Prashant Kumar
FIR No. 282/2021
P.S Special Cell
U/s 420 IPC & 66 IT Act.

14.01.2022.

Present: Sh. Irfan Ahmed, Ld. Addl. PP for State through VC.

Sh. Aditya Raj, Ld. Counsel for applicant/accused through VC.

Proceedings done through video conferencing.

It is certified that link was working properly and no grievance was agitated by either of the counsel in this regard.

Present is an application moved on behalf of applicant/accused Prashant Kumar for grant of bail. It is submitted that applicant/accused has been falsely implicated in the present case as he has not been named in the FIR and he is languishing in j.c since 05.01.2022. It is submitted that applicant/accused surrendered himself on 03.01.2022 and handed over all his gadgets to the investigating agency. It is submitted that applicant/accused has no role to play in the alleged offence. It is submitted that applicant/accused is imparting education and providing coaching to students for various examination for past 15 years and since imposition of lockdown, he has been giving online classes to his students. It is submitted that co-accused Akhlakh Alam has recently contacted him about six months ago for providing online coaching to his students. It is further submitted that marriage of real sister of applicant/accused is fixed in February, 2022 and there is no one in the family to look after the arrangements. It is submitted that main accused and other co-accused persons have already been enlarged on bail. It is submitted that he is ready and willing to join the investigation. It is thus prayed that he may be released on bail.

Ld. Addl. PP has vehemently opposed the bail application arguing that applicant/accused is part of a crime syndicate involved in hacking online exams charging hefty amount

from the aspirants to help them clear the exams. It is submitted that during investigation, a decoy candidate Tilak Raj was asked to strike a deal with the hackers and the hacker assured the decoy candidate to clear the exam against payment of Rs.9000/- and accordingly payment was made and he was asked to download software Ipertus Remote through which the hacker gained control of the participant laptop and got cleared the attempt. It is submitted that the said hacker i.e. accused Deep Shah with whom the decoy candidate had conversed was arrested. It is submitted that applicant/accused hacked the online exam at the instance of co-accused Akhlakh Alam against payment of money and from the bank details of accused Akhlakh Alam, it was found that Rs.2.5 lacs were paid by him to applicant/accused.

In the instant matter, custodial interrogation of applicant/accused is no longer sought by the investigating agency. Co-accused has already been granted bail. Considering the period of incarceration, grounds of parity, applicant/accused Prashant Kumar is admitted to bail on his furnishing bail bond in the sum of Rs.20,000/- with two sureties each in the like amount to the satisfaction of Ld. CMM/Ld. MM/Duty MM/Link MM.

Application is disposed off accordingly.

(Dharmender Rana)
ASJ-02, NDD/PHC/New Delhi
14.01.2022