

Court No. - 69

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14945 of 2024

Applicant :- Amit Kumar

Opposite Party :- State of U.P.

Counsel for Applicant :- Alok Ashish Vaibhava

Counsel for Opposite Party :- G.A.

Hon'ble Rohit Ranjan Agarwal,J.

1. Heard learned counsel for the applicant and learned AGA for the State.

2. By means of this application, applicant, who is involved in Case Crime No. 84 of 2024, under Sections 420/467/468/471 IPC and 3/9 of U.P. Public Examination (Prevention of Unfair Means) Act, Police Station Shikohabad, District Firozabad, seeks enlargement on bail during the pendency of trial.

3. The prosecution story, as unfolded, reveals that in the examination conducted by U.P. Police Recruitment Board for selection of Constables, applicant/Amit Kumar had appeared in the said examination in place of original candidate Sachin Yadav, which was conducted at P.R.T. Saraswati Inter College, Shikohabad on 17.02.2024. During verification of biometric, which was mismatched, it was found that applicant was appearing in the examination in place of original candidate Sachin Yadav, on the basis of forged admit card and Aadhar Card.

4. It is contended by learned counsel for the applicant that the applicant has been falsely implicated in the present case. Learned counsel for the applicant submits that the applicant is languishing

in jail since 17.02.2024, having no criminal history to his credit, deserves to be released on bail. In case, the applicant is released on bail, he will not misuse the liberty of bail and shall cooperate with trial.

5. Learned AGA has vehemently opposed the bail application and submits that during examination for recruiting Constables in U.P. Police, which was held on 17.02.2024, that the applicant had appeared in the said examination in place of original candidate Sachin Yadav, on the basis of forged admit card on which the photograph of applicant was pasted. He further submits that on mismatch of biometric, applicant been caught by the school authorities on the spot and handed over to police, as such, bail application is liable to be rejected.

6. I have heard learned counsel for the respective parties and perused the material on record. It is a case where the applicant had appeared in the examination, conducted by U.P. Police Recruitment Board for recruiting Constables in U.P. Police, in place of original candidate/Sachin Yadav and on mismatch of biometric he was apprehended on the spot by the school authorities.

7. Moreover, cheating in government exams undermines the principles of meritocracy and equal opportunities, which were essential for fostering social mobility and ensuring fairness in society. It perpetuates inequalities by favoring those, who could afford to pay for fraudulent activities, while disadvantaging those, who rely on their hard work and merit to succeed. The acts of cheating in examinations, thus, must be dealt with a stern hand, as their effects were not limited to an individual but impact society as a whole.

8. On due consideration of the aforesaid, no case for bail is made out. Bail application stands rejected.

Order Date :- 2.8.2024
Shekhar