

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8317 of 2025

Arising Out of PS. Case No.-6 Year-2024 Thana- ECONOMIC OFFENCES, BIHAR
District- Patna

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Vishal Kumar Chaurasiya @ Vishal Kumar, S/o Shree Anil Prasad
Chaurashiya @ Arvind Prasad Chaurashiya R/o Village-Prataptanr, P.S.-
-Bhagwanpur, Dist.- Vaishali

... .. Petitioner

Versus

1. The State of Bihar
2. The Additional Director General of Police, Economic Offence Unit, Patna,
Bihar.

... .. Opposite Parties

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Appearance :

For the Petitioner/s	:	Mr. Ansul, Senior Advocate Ms. Priyanka Singh, Advocate
For the Opposite Party/s	:	Mr. Nirmal Kumar Sinha,, APP
For the EOU	:	Mr. Vishwanath Prasad Sinha, Senior Advocate Mr. Vijay Anand, Advocate

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

9 21-08-2025 Heard Mr. Ansul, learned senior counsel for the

petitioner and Mr. Vishwanath Prasad Sinha, learned senior

counsel appearing for the Economic Offence Unit.

2. The accused/petitioner seeks bail in connection

with Economic Offence Unit, Bihar, Patna P.S. Case No.6 of

2024 registered for the offences punishable under Sections

420, 467, 468, 471, 120-B read with 34 of the Indian Penal

Code (in short ‘IPC’), under Sections 3 and 10 of the Bihar

Conduct Examination Act, 1981 as well as Section 66 of the

Information Technology Act, 2000.



3. The accused/petitioner is named in the FIR and is in custody since 16.03.2024.

4. As per the case of prosecution, the Economic Offence Unit/E.O.U. Bihar received information that some persons involved in leaking the papers of Teachers Recruitment Examination-3 (TRE-3) held on 15.93.2024 by Bihar Public Service Commission. With aforesaid information, number of buses and scorpions were stopped at Rajauli, Nawada, Bihar and it was found that several students had set of question papers and accordingly, the places were raided and vehicles were seized and 250 persons were apprehended thereof. The petitioner was apprehended at Karbighiya, Patna in Bolero vehicle along with co-accused Gautam, Sumant Kumar and Rambhawan Paswan.

5. It is submitted by Mr. Ansul, learned senior counsel appearing for the petitioner that the vehicle from where this petitioner was apprehended also found carrying some incriminating materials like question papers and answer sheets. It is pointed out that considering the overall nature of accusation, other three apprehended co-accused namely,



Goutam Kumar @ Gautam Kumar, Sumant Kumar @ Suman Kumar and Rambhawan Paswan were granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No.60633 of 2024, 74330 of 2024, 81749 of 2024 dated 21.01.2025 respectively. It is pointed out by Mr. Ansul that the case of this petitioner is on similar footing and, therefore, as a matter of judicial parity, he deserves bail. It is fairly conceded that the petitioner found involved in two similar nature of cases, where he is on bail and merely on this ground, as petitioner found involved in criminal cases of similar nature, his prayer of bail should not ordinarily be declined if merit of this case otherwise appears in his favour. In this context, Mr. Ansul has relied upon legal report of Hon'ble Supreme Court as available through **Prabhakar Tewari vs. State of U.P. & Ors. [(2020) 11 SCC 648]**.

6. Mr. Vishwanath Prasad Sinha, learned senior counsel while arguing on behalf of Economic Offence Unit submitted that the petitioner was actively involved in occurrence and he was found involved in two similar nature of cases. However, he fairly conceded that three co-accused



persons, as submitted above, were granted bail by one of the learned co-ordinate Bench of this Court. It is submitted that other co-accused persons were granted bail for the reason that they had fair antecedents.

7. Taking note of aforesaid factual submissions and as alleged recovery *prima facie* not appears to be made from exclusive possession of this petitioner rather from bus having different co-accused persons, coupled with the fact that similarly situated co-accused persons have already granted bail by one of the learned co-ordinate Bench of this Court, where investigation of this case is already completed and petitioner remains in custody since 16.03.2024, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-XVIII, Patna in connection with Economic Offence Unit, Bihar, Patna P.S. Case No.6 of 2024, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short 'CrPC')/under Section 480(3) of



the Bhartiya Nagrik Suraksha Sanhita (for short 'BNSS') and
with further conditions:-

(i) That each of the bailor should be the family member/relative of the petitioner, who shall provide official document to show their *bona fide*;

(ii) That the petitioner shall appear on each and every date before the Trial Court failure to do so for two consecutive dates without plausible reason will entail cancellation of their bond by the Trial Court itself;

(iii) That the petitioner shall appear before the concerned police station every fortnight for next one year to mark their attendance;

(iv) That the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) That the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(vi) That if petitioner hold Indian Passport, he shall be duty bound to surrender



the same before the learned Trial Court and if required, can prefer petition before the said court itself who will be well placed to decide on it; and

(vii) That if petitioner does not own the passport, an affidavit to this effect shall be filed along with the bail bond that the accused/petitioner do not hold any Indian Passport til the bail bond is being filed.

(Chandra Shekhar Jha, J.)

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