

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10331 of 2025

Arising Out of PS. Case No.-6 Year-2024 Thana- C.B.I CASE District- Patna

Amit Kumar, Male, aged about 33 years, S/o- Arjun Prasad, R/o- Siyaram
Prem Niwas, Road No 6 C, Rajendra Nagar P.S. Kadamkuan District- Patna

... .. Petitioner

Versus

1. The State of Bhar.
2. The Central Bureau of Investigation Bihar

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. P.N. Sahi, Sr. Advocate, Mr. Madhukar Anand, Advocate, Mr. Shubham Kumar Singh, Advocate and Mr. Amritanshu Mdbhava, Advocate.
For the U.O.I., C.B.I.	:	Mr. Ajay Mishra, Sr. C.G.C.
For the State	:	Mrs. Rita Verma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

7 04-07-2025 Heard learned senior counsel for the petitioner,

learned counsel for the C.B.I. and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Special
(CBI) Case No. 14 of 2024, arising out of RC Case No. 06E of
2024 registered for the offences punishable under Sections 407,
408, 409 and 120B of the I.P.C.

3. As per the prosecution case, on 05.05.2024, during
patrolling, the informant got information from his senior
officials that in the NEET Examination, 2024, an organized
gang, some students and some examination conducting staffs, in
collusion with one another has destroyed the integrity and



sanctity of the chain of custody of the question papers and leaked the question papers. He was also informed that some members of the organized gang were moving in a white colour Renault Duster Car around the examination centre. For the verification of the same, on checking, when he intercepted the white Duster Car bearing Registration No. JH01BW0019, and three people who were trying to escape, were caught on the spot who told their names as 1. Sikandar Yadvendu, 2. Akhilesh Kumar and 3. Bittu Kumar. On searching the car, four xerox copies of Admit Cards of four candidates, namely, Abhishek Kumar, Shivnandan Kumar, Aayush Raj and Anurag Yadav were recovered from the shelf of the front seat and two mobile phones were recovered from the pocket of Sikandar Yadvendu. On interrogation regarding the question papers, he told that some of his students are appearing in the examination at the various centres whose setting were managed by Sanjeev Singh, Rocky, Nitesh and Amit Anand. They had taken some of the students to memorize the answers of the NEET question papers. After informing the same to his officials, when he reached DAV Public School, BSEB Colony and verified about Ayush Raj, he came to know that he is in Room No. 18. After the examination got over, on interrogation of Ayush Raj, he told the informant



that he was taken to Learn Boys Hostel and Learn Play School, a night before the examination and was handed over the question papers and the answer sheets and was asked to memorize alongwith 20-25 other students. On searching the student, NEET Admit Card, question booklet, Aadhar Card, Pan Card, Passport Photo and Postcard were recovered from his possession. Thereafter, the informant prepared the seizure list and on the basis of his self statement, the present case has been instituted.

4. Learned senior counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. His name has surfaced in the present case during the course of investigation only on the basis of flimsy allegations without there being any cogent evidence against the petitioner. It is further submitted that beside the original charge sheet dated 01.08.2024, four supplementary charge sheets on different dates were filed. The petitioner was arrayed as accused no. 45(A-45) in fourth supplementary charge sheet bearing Supplementary Charge Sheet No. 31 of 2024 dated 20.11.2024. It is further submitted no role has been attributed against the petitioner with regard to stealing of the question paper or playing any pro-



active role in the alleged leak of the question papers, rather the only allegation against the petitioner is that he sourced three candidates on instruction of the co-accused for earning commission. It is further submitted that as far as the allegation of recovery of chemistry question paper from the mobile of the petitioner is concerned, same is entirely false and as per the prosecution case, the petitioner sent chemistry question paper to Dr. Vimal but nothing incriminating article has been found in the mobile set of Dr. Vimal. It is further submitted that the date on which the file containing the question paper was created/downloaded in the mobile of the petitioner has not been mentioned anywhere which falsifies the veracity of the prosecution case against the petitioner. It is further submitted that the case is triable by the Magistrate. It is submitted that the other co-accused person, namely, Sanjay Kumar, has already been granted bail by a Bench of this Court in Cr. Misc. No. 86099 of 2024 vide order dated 07.05.2025. The petitioner has two criminal antecedents in which he is on bail as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 01.10.2024.

5. Learned counsel for the C.B.I. and learned A.P.P. for the State have vehemently opposed the bail petition of the



petitioner. Learned counsel for the C.B.I. has filed a counter affidavit dated 28.02.2025 and he further refers paragraph nos. 18(iv) and 18(v) of the said counter affidavit. In paragraph no. 18(iv) of the said counter affidavit, it has been mentioned that the investigation has further revealed that on the request of Dr. Vinod Kumar, the father of Drishti Priyam, the petitioner (A-45) received the chemistry section of the question paper which was shared by the co-accused Abhimanyu Patel at around 12.30 P.M., which the petitioner (A-45) promptly forward to Dr. Vinod Kumar on 05.05.2024. The petitioner (A-45), collected Rs. 5,00,000/- in cash from Dr. Vinod Kumar in the month of August, 2024 and in paragraph no. 18(v) it has been mentioned that during the course of investigation, the pdf of the Chemistry Paper has been recovered from the seized mobile phone of the petitioner (A-45). The mobile phone in which the Chemistry Paper was received by Dr. Vinod Kumar was also seized and sent to CFSL for forensic analysis. The said mobile phone is Vivo T2x 5G make having IMEI1-866164063096173 and IMEI2-866164063096165 containing Airtel SIM of mobile number 9771798339 issued in the name of the petitioner (A-45).

6. Lastly, learned counsel for the C.B.I. has submitted that in view of the submissions made above, the prayer for bail



application of the petitioner may kindly be rejected in the interest of justice and ongoing further investigation under Section 173(8) of the Cr.P.C.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody and the fact that other similarly situated co-accused person has been granted bail, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, CBI-II, Patna in connection with Special (CBI) Case No. 14 of 2024, arising out of RC Case No. 06E of 2024 with further conditions:-

I. The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

II. The petitioner shall not intimidate and/or influence the witnesses by inducement, fraud or promise.

III. The petitioner shall not leave the territory



of India without permission of the court and
shall hand over the passport, if any, to the
C.B.I.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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