

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30158 of 2025

Arising Out of PS. Case No.-16 Year-2023 Thana- ECONOMIC OFFENCES, BIHAR
District- Patna

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Ashwani Ranjan @ Sonu S/o Avinash Kumar R/o Village- Maghada, P.S.-
Deep Nagar, District- Nalanda (Bihar)

... .. Petitioner/s

Versus

1. The State of Bihar through the Economic Offence Unit, Patna Bihar
2. Investigating Officer, Economic Offence Unit, Patna Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rajendra Prasad, Sr. Advocate Mr. Pramod Kumar, Advocate Mr. Ritesh Kumar, Advocate Ms. Srishti, Advocate Mr. Dhirendra Kumar, Advocate
For the Opposite Party/s :		Mr. Ganesh Prasad Singh, APP
For the E.O.U.	:	Mr. Vishwanath Pd. Sinha, Sr. Advocate Mr. Vijay Anand, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 08-08-2025 Heard Learned Senior Counsel for the petitioner,

Learned Senior Counsel for the Economic Offence Unit and

Learned APP for the State.

2. The present criminal miscellaneous application has been filed under Sections 483 and 484 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of regular bail to the petitioner who is in custody in connection with Economic Offence P.S. Case No. 16 of 2023, lodged on 31.10.2023, under Sections 420/467/468/120B of the Indian Penal Code and under Section



66 of the I.T. Act.

3. Learned Senior Counsel submits that earlier prayer for bail of the petitioner was rejected vide order dated 03.10.2024 passed in Cr. Misc. No.71819 of 2024 by this Court with specific finding that it is rejected at present.

4. Learned Senior Counsel for the petitioner submits that petitioner is not named in the FIR and his name has come only and only on the basis of suspicion. Learned Senior Counsel submits that there is no cogent material against him and confession in the eye of law has no evidenciary value before the Court and on the basis of confessional statement the petitioner, who is in custody since 05.06.2024 may not continue and he may be released on bail. Learned Senior Counsel further submits that one co-accused, namely, Kaushik Kumar Kar has been granted regular bail by a coordinate Bench of this Court vide order dated 16.04.2025 passed in Cr. Misc. No.78456 of 2024.

5. Learned Senior Counsel for the Economic Offence Unit submits that in the present case the counter affidavit has been filed. He submits that it is true that petitioner is not named in the FIR, but he submits that his name has figured during investigation as the present case is relating to malpractice/ fraud



in the constable recruitment of 2023 with respect to Advertisement No.1/2023. Learned Senior Counsel further submits that name of the petitioner has figured during investigation. Initially, by virtue of confession but subsequently corroboration has also been made by virtue of relevant evidence. In this regard, he submits that specific points and the corroboration has been mentioned in paragraph-8 of the counter affidavit, which states as follows:

“8. That insofar as the petitioner, namely, Aswani Ranjan @ Sonu son of Avinash Kumar is concerned following materials emerge against him :-

a. The petitioner is not a named FIR accused but has been found to be an active member of the organized interstate criminal gang involved in the paper leak of question papers of examinations.

b. The petitioner has even confessed his crime and has given voluntary a confessional statement admitting his involvement in the commission of the crime.

c. The same is also corroborated from the analysis of the mobile numbers, of co-accused Aniket Raj @ Badshah (Mob: 8084920371), Sanjeev Mukhiya (Mob: 8981302592) and Dr. Shiv @ Bittu (Mob: 9905556084). It is through the SIM card,



which was obtained from Kolkata, the work relating to the question paper leak was executed by the accused.

d. The mobile tower location of the petitioner Ashwani Ranjan @ Sonu's mobile bearing Nos. 9955810203, 6204106129 and the mobile no. of Vickky Kumar i.e. 7979834379 were found at the location of the 'Printing Press ' which was printing the question papers for Constable Recruitment Examination of 2023 at Kolkata i.e. Caltex Multi Venture Private Limited /Blessings Secured Press Private Limited at Kolkata.

e. In fact, the tower location was also traced near the transporting agency i.e. D.P. World, Kolkata's warehouse just before the examination i.e. 20.09.2023 till 28.09.2023 and the location was constantly there in the said duration.

f. The accused used to stay at Balaji Hotel, near Kolkata Airport and there is also supporting evidence to this effect.

g. The mobile number analysis has abundantly established the involvement of the petitioner.

h. During inquiry, the petitioner has admitted his role in the paper leak and stated the fact that vehicle numbers that were coming out from the printing press, the photo of lock and seal etc. were stored in his



mobile phone and he even showed the same which was later seized and sent for forensic examination to the FSL.

i. The Manager of the Hotel Balaji International No. 2 Airport Gate, Holding No. 5, Kolkata 81, namely, Santosh Kumar Rai has given his statement that on 20.09.2023 Sanjeev Kumar and Ashwani Ranjan both from Nalanda Bihar Sharif stayed in his hotel for about nine days and he also provided the cash memo to this effect.

j. In fact, from his mobile phone evidence of monetary transaction has also surfaced under which for rescuing co-accused Vickky Kumar from the employees of the printing press, the gang leader Dr. Shiv has transferred funds. The money was transferred from the account of Shubham Kumar (who is also a member of the gang) in the bank account of M/s S.S. Enterprises.

k. The said M/s S.S. Enterprises is a company belonging to one Suman Bishwas, who is also a director of Caltex Multi Venture Private Limited, and it was by this agency that the question papers were printed for the advertisement no. 1 of 2023.

l. It was also found that one Kabil Khan, who is working in the said Printing Press from last eight years and who looks



after the printing and packaging work and was in fact involved in printing/packaging the question paper of 2023 Constable Recruitment, efforts were made to illegally obtain his SDR and Tower Location and to locate/trace him and to this effect evidence was found in the mobile phone of this petitioner.

m. The petitioner from his mobile contacted one D.D. Packaging Company that was involved in supplying envelopes to Caltex Multi Venture Private Limited.

n. In fact, the petitioner has given his statement that Sanjeev Mukhiya for re-packaging the leaked question paper in similar envelopes had contacted the owner Dilip Bhattacharya of D.D. Packaging.”

6. After going through the materials, which has come in the counter affidavit of the E.O.U., it transpires to this Court that petitioner is one of the main kingpin in commission of the offence. Therefore, this Court is not inclined to grant bail to the petitioner. Hence, the prayer for regular bail of the petitioner is hereby refused.

(Dr. Anshuman, J)

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