

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30756 of 2025

Arising Out of PS. Case No.-28 Year-2024 Thana- ECONOMIC OFFENCES, BIHAR
District- Patna

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Adarsh Raj, Son of Sunil Prasad, Resident of village - Dharmpur, P.S.- Hilsa,
District - Nalanda.

... .. Petitioner

Versus

1. The State of Bihar
2. The Economic Offence Unit, Patna, Bihar

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Alok Kumar Alok, Advocate
		Mr. Shyam Kishore, Advocate
For the State	:	Mr. Navin Kumar Pandey, APP
For the E.O.U.	:	Mr. Vishwanath Prasad Singh, Senior Advocate
	:	Mr. Vijay Anand, Advocate

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 25-11-2025 Heard learned counsel for the petitioner, learned

Additional Public Prosecutor for the State and learned senior

counsel appearing for the Economic Offence Unit.

2. The accused/petitioner seeks bail in connection with

Economic Offence Unit (Patna) P.S. Case No.28 of 2024

registered for the offences punishable under Sections 318(4),

338, 336(3), 340(2), 61(2) read with 3(5) of the Bhartiya Nyaya

Sanhita, 2023 (for short 'B.N.S.') as well as Sections 3, 10 and 11

of the Bihar Public Examination Act, 2024.

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

custody since 03.12.2024.

4. As per FIR, the informant alleged that during online



examination for recruitment of Community Health Officers, 45,000/- candidates appeared on 01.12.2024 and 02.12.2024, where a secret information was received by Economic Offence Unit that the Solver Gangs have become active to get unauthorized access by using additional line and proxy server. It appears out of allegation that M/s. ACME, Institute of Information Technology and Ekam Evolution Pvt. Ltd. were engaged to conduct aforesaid online examination. Upon raid, petitioner was apprehended with one mobile and laptop, where mobile was destroyed by petitioner himself immediately after arriving E.O.U. personnel/police.

5. It is submitted by learned counsel for the petitioner that the petitioner admittedly was working as I.T. Manager of M/s Ekam Evolution Pvt. Ltd. The Director of company was co-accused Mr. Amit, who has already granted bail by learned trial court itself. It is submitted that no incriminating material appears recovered from the seized mobile of petitioner as to connect him with present crime in question with allegation that he was engaged to leak papers to Solver Gangs. It is also pointed out that even from the seized laptop no incriminating materials was recovered.

6. Arguing further, it is submitted that co-accused, Anupam Kumar Mishra, who was also working as I.T. Manager of the company was granted bail by one of the learned co-ordinate



Bench of this Court through Cr. Misc. No.24662 of 2025 dated 13.08.2025 facing similar allegation. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence and moreover petitioner is a man of clean antecedent.

6. Mr. Vishwanath Prasad Singh, learned senior counsel appearing for Economic Offence Unit while opposing the prayer of bail submitted that this petitioner being I.T. Manager was actively engaged in leaking of papers through Solver Gangs by regulating/operating the proxy server and also providing remote access to the solver gang sitting on third location for solving the question papers of candidates, who were the illegal beneficiaries and were trying to get public employment while compromising and prejudicing the examination process. It is further argued that nine suspicious roll nos. were found from Laptop, seized from the room, where petitioner was working, suggesting his active involvement with crime in question but, it is fairly conceded by Mr. Singh that there is nothing on record which may suggest that seized Laptop belongs to this petitioner, though, he was actively working on that.

7. In view of aforesaid factual submissions and by taking note of fact, as *prima facie* petitioner was found



involved in illegal activities, as discussed aforesaid, being I.T. Manager, where the Director of company has already granted bail by learned trial court itself as also the similarly situated co-accused namely, Anupam Kumar Mishra was also granted bail by one of the learned co-ordinate Bench of this Court, coupled with the fact that investigation of this case is already completed, where petitioner, being man of clean antecedent, remains in custody since 03.12.2024, 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 A.C.J.M.-1st, Patna in connection with Economic Offence Unit (Patna) P.S. Case No.28 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 one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his bona fide;

(ii) That the petitioner shall appear



on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) That the petitioner shall appear before the concerned police station every fortnight for next six months to mark his 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 his bail bonds.

(Chandra Shekhar Jha, J.)

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