

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60106 of 2025

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

Ahsanul Haque @ Dr. Ahsanul Haque Son of Late Ainul Haque Resident Of Hashmiya Colony, Okni 2, Ps- Hazaribagh Sadar, (Lohsingna), Dist -Hazaribagh, Jharkhand

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. The Union of India through CBI, Patna bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md Ejaz Akhtar, Advocate Mr. Bipin Bihari, Advocate
For the Opposite Party/s	:	Mr. Ram Tujabh Singh, Advocate Mr. Awadesh Kumar Pandey, Sr. C.G.C Mr. Lokesh, Advocate

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

6 31-10-2025 Heard learned counsel for the petitioner, learned counsel for the Central Bureau of Investigation (CBI) and learned Additional Public Prosecutor for the State.

2. This is the second attempt on behalf of the petitioner for grant of bail in connection with Shastri Nagar P.S. Case No. 358 of 2024 dated 05.05.2024 instituted for the offences under Sections 407, 408, 409 and 120B of the Indian Penal Code and later on the CBI re-registered the case as RC 221/2024/E0006-CBI/EO-III, New Delhi on 23.06.2024. He has no criminal antecedent.

3. As per the prosecution case, the allegation made

in the First Information Report, is that the informant, Inspector-cum-SHO of Shastinagar Police Station, Patna, on 05.05.2024, during patrolling, got the information from his Senior Officials that in the NEET UG Exam, 2024, an organized gang, some students along with staffs in collusion has breached the integrity and sanctity of the chain of custody of question papers and leaked the same. He was also informed that some members of the gang were moving in a white colour Renault Duster car. The informant intercepted the white colour Renault Duster car bearing registration number JH 01BW-0019 and arrested three persons from the car who disclosed their names as Shikandar Yadwendu, Akhilesh Kumar and Bittu Kumar. Upon search, admit cards of four candidates namely Abhishek Kumar, Shivnandan Kumar, Aayush Raj and Anurag Yadav were recovered. Two mobile phones were also recovered from the pocket of arrested co-accused Shikandar Yadwendu. On interrogation regarding the question papers, accused Shikandar Yadwendu told that the students are taking examination at various centres and arrangements for their examination was made by him. They had taken some of the students for memorizing the answers of NEET questions. Subsequently, police party reached one of

the examination centres i.e. D.A.V. Public School, B.S.E.B. Colony, Patna, where one co-accused, Ayush Kumar was taking the examination. After the examination was over, the police took the said accused in custody and during interrogation, he revealed that on 04.05.2024, he along with 20-25 other students were taken to Learn Boys Hostel and Learn Play School, situated at Khemnichak, Patna and were provided with solved question papers in order to memorize them. In competitive examination, all questions came from the same question booklet.

4. Learned counsel appearing on behalf of the petitioner submits that the entire allegation against the petitioner is completely false and misleading. It has been submitted that the petitioner is not named in the F.I.R and there is no specific allegation against him. The petitioner has been made an accused simply on account of the fact that the question paper is said to have leaked from the school of which the petitioner is the Principal.

5. The learned counsel for the petitioner submitted that the allegation as per the prosecution case is upon one Pankaj Kumar @ Aditya @ Sahil, the co-accused, who is stated to have opened the seal of the box kept in the strong

room of the school namely, OASIS School at Hazaribagh. It has been submitted that the petitioner is said to be the conspirator and had participated in the process of leaking the question papers, however, the prosecution has not been able to connect the petitioner with the alleged crime and it is also not the case of the prosecution that petitioner was paid any extraneous consideration for assisting other accused in the said offence. It has been submitted that the petitioner has been named in this case only in order to justify the recovery of question papers, however, there is no material to show that it was the petitioner, who was in connivance with the other accused persons in committing the said offence of leakage of question paper. It has been stated that the allegations levelled against the petitioner is not corroborated by any evidence and the main accused persons were not only apprehended by the police but were also named in the F.I.R and there is no connection established by the prosecution showing the petitioner to have connived with them in the said offence.

6. It is submitted by the learned counsel for the petitioner that similarly situated co-accused named in the F.I.R. have already been granted bail by a co-ordinate Bench of this Hon'ble Court, namely, Sikandar Yadav, vide order

dated 09.04.2025 in Cr. Misc. No. 65810 of 2024; Akhilesh Kumar @ Abhishek Kumar was granted bail vide order dated 28.02.2025 in Cr. Misc. No. 74161 of 2024; and Rahul Anand @ Bittu was granted bail vide order dated 07.08.2025 in Cr. Misc. No. 84277 of 2024.

7. It has further been pointed out that the accused, namely, Md. Imteyaz Ahmad who was the Vice-Principal of OASIS School at Hazaribagh has also been granted bail by this Hon'ble Court vide order dated 04.07.2025 passed in Cr. Misc. No. 11319 of 2025 and the main accused, who is said to have broken the lock of the boxes and taken out the question papers namely Pankaj Kumar @ Aditya @ Sahil has also been granted bail vide order dated 15.05.2025 passed in Cr.Misc. No. 9546 of 2025.

8. It has been submitted that the CBI has already submitted charge-sheet against he petitioner and 45 other accused persons and there are altogether 512 prosecution witnesses and till date charges have not been framed. It has been submitted that the petitioner's case stands on a better footing than that of the other named accused persons and therefore, he deserves similar treatment as has been given to the other accused persons. It has lastly been submitted that the

petitioner has clean antecedent and he is in custody since 29.06.2024.

9. The learned counsel appearing for the CBI has vehemently opposed the prayer for bail contending that the petitioner happens to be the principal of OASIS School Hazaribagh and during the course of investigation it has come that Dr. Ahsanul Haque (Petitioner) and Md. Imtiyaz Alam allowed one of the co-accused Pankaj Kumar @ Aditya @ Sahil to enter into control room who took out the NEET UG, 2024 question papers by tampering the trunk boxes containing the question papers in the forenoon on the date of examination, i.e., on 05.05.2024. Learned counsel for the CBI referring to the counter affidavit filed in the present case has further stated that the petitioner was part of the criminal conspiracy to commit theft of the question papers of the NEET UG, 2024 examination, or orchestrated by the accused persons including Amit Kumar Singh, Pankaj Kumar @ Aditya @Sahil, Raju Singh, Dr. Ahsanul Haque (Petitioner), Imtiyaz Alam and Jamal and petitioner being the Principal of the Oasis School, Hazaribagh was thus involved in the said conspiracy.

10. Learned counsel for the CBI though has not

disputed the fact that as far as the investigation in respect of petitioner is concerned, it has been completed and the charge-sheet has been submitted and the other accused persons having been granted bail by co-ordinate Bench of this Court, however, the learned counsel for the CBI has submitted that if the petitioner is enlarged on bail, he may tamper the evidence or influence the witnessess or even flee thereby disrupting the trial of the present case.

11. Considering the aforesaid submissions made on behalf of the learned counsel for the respective parties and taking into account the fact that the charge-sheet has already been submitted against the petitioner and similarly situated co-accused persons having been enlarged on bail by co-ordinate Bench of this Hon'ble Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty Five thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Shastri Nagar P.S. Case No. 358 of 2024 and RC 221/2024/E0006-CBI/EO-III subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his

own family member/immediate relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(vi) The petitioner shall not leave the territory of India without permission of the Court and shall hand over the passport, if any, to the CBI.

(vii) The petitioner shall co-operate with the further

investigation of the CBI and shall make himself available as
and when required by the Investigating Agency.

12. Accordingly, the prayer for bail is allowed.

13. It is made clear that the observation, if any,
made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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