

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84277 of 2024

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

Rahul Anand @ Bittu S/o Naresh Kumar Singh R/v Khusrupur (Near Government Hospital) Ps-Khusurupur, Dist-Patna. At present R/o Room no. 225, Hostel no. 9, AIIMS, Phulwarisharif, Distt.- Patna

... .. Petitioner/s

Versus

- 1. The State of Bihar Bihar
- 2. Central Bureau of Investigation, CGO Complex, New Delhi New Delhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ansul, Sr. Adv.
Mr. Aditya Pandey, Adv.
Mr. Aditya Raj Singh, Adv.
Ms. Eshita Raj, Adv.
Mr. Anuj Kumar, Adv.
For the CBI : Mr. Subodh Kumar Jha, Sr. CGC
Mr. Ram Tujabh Singh, CGC
Mr. Abhimanyu Sharma

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

9 28-07-2025 Heard learned counsel for the petitioner and learned counsel for the Central Bureau of Investigation.

2. The petitioner has preferred this application for grant of regular bail in connection with Shastri Nagar P.S. Case No. 358 of 2024 dated 23.06.2024 registered for the offences punishable u/ss 407, 408, 409 and 120B of the Indian Penal Code. Subsequently, the case was taken over by the C.B.I. and re-registered as RC No. 221/2024/E0006/EO-III/ CBI, New Delhi on 23.06.2024.

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 had 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, three people who were trying to escape, were caught on the spot and 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 said that some of his students are appearing in the examination at the various centers 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, the night before the examination and was handed over the question papers and the answer sheets and was asked to memorize them alongwith 20-25 other students. On searching the student, NEET Admit Card, test 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 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. The name of the petitioner has surfaced in this case during the course of investigation. It is further submitted that the petitioner was not involved in the NEET Exam paper leak. The petitioner has not committed any offence in the manner as alleged and no any incriminating material has been found from his possession. Learned counsel has further submitted that the alleged offence is



triable by the Magistrate. The co-accused person, Ayush Kumar @ Ayush Raj has already been granted regular bail by a Coordinate Bench of this court vide order dated 24.01.2025 passed in Cr. Misc. No. 70959 of 2024. The other co-accused persons have already been granted regular bail by this court vide order dated 09.04.2025 passed in Cr. Misc. No. 74464/2024. Learned counsel has further submitted that not a single receipt or paper has been filed on behalf of the prosecution showing that the petitioner is involved in the alleged offence. The petitioner has no concern with the alleged offence. No any question papers and the solved papers have been recovered from the possession of petitioner and the co-accused persons. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 18.07.2024.

5. Learned counsel for the C.B.I. has vehemently opposed the bail petition of the petitioner and submitted that the regular bail application of the co-accused person has already been rejected by a Coordinate Bench of this court vide order dated 27.03.2025 passed in Cr. Misc. No. 80486/2024. A counter affidavit has been filed on behalf of the Opposite Party CBI, EO-III, New Delhi and submitted in para 12 of the counter affidavit is that the petitioner is a student of MBBS course at



AIIMS, Patna and he is a member of the solvers gang of the leaked question paper of NEET UG 2024. He had participated in solving the question paper at the instance of the main conspirators at Raj Guest House, Ramnagar, Hazaribagh, Jharkhand in the forenoon of 05.05.2024. Learned counsel has further submitted in para 13 of the counter affidavit is that due to the involvement of the petitioner in the commission of crime, he was arrested on 18.07.2024. Subsequently, 05.10.2024, a charge-sheet was filed against the petitioner/ accused Rahul Anand @ Bittu (A-28) U/s. 120-B r/w 109, 201, 380, 409, 411, 420 IPC and Sections 13(2) r/w 13(1)(a) of the PC Act, 1988 (as amended in year 2018) and under substantive offence of Section 109 and 411 IPC. Further Investigation U/s 173(8) Cr.P.C. is kept open against other conspirators. Learned counsel has further submitted in para 15 of the counter affidavit is that the evidence has come on record against the petitioner, Rahul Aanand @ Bittu as under :-

(i) Investigation has revealed that the Patna group of solvers was led by Chandan Singh (A-29) and consisted of Kumar Shanu (A-27), Rahul Anand (A-28), Karan Jain (A-26), Surbhi Kumari (A-30), Raunak Raj (A-33), and Amit Kumar (A-35). Amit Kumar (A-35) had also brought his college mate



Sanoj Kumar Yadav to Hazaribagh. These MBBS students except Sanoj Kumar Yadav went to Raj Guest House on 05.05.2024 and solved the stolen NEET question paper.

(ii) Investigation has further revealed that for the NEET UG 2024 exam, Sanjay Kumar (A-36) tasked Chandan Singh (A-29) with arranging dummy candidates. Under Sanjay Kumar's direction, Chandan Singh (A-29) arranged for Kumar Shanu (A-27), Rahul Anand (A-28), Karan Jain (A-26), Surbhi Kumari (A-30), Raunak Raj (A-33), Amit Kumar (A-35), and Sanoj Kumar Yadav to sit as dummy candidates.

(iii) Investigation has further revealed that Sanjay Kumar (A-36) took Chandan Singh (A-29), Kumar Shanu (A-27), Rahul Anand (A-28), and Karan Jain (A-26) to a photo studio at Phulwarisarif near AIIMS, Patna, to have their photographs taken for filling out the NEET 2024 examination forms. Raunak Raj (A-33) and Amit Kumar (A-35) forwarded their photographs and signatures directly to Sanjay Kumar (A-36) via WhatsApp. Sanjay Kumar (A-36) arranged the entire process, including paying for the photographs and collecting their signatures for the NEET application forms.

(iv) Investigation has further revealed that the accused Sanjay Kumar (A-36), accused solvers Chandan Singh (A-29),



Kumar Shanu (A-27), and Rahul Anand (A-28) left Patna on the night of 26.04.2024 and traveled to Koderma by the Ganga Damodar Express while another accused solver Surbhi Kumari (A-30) traveled to Koderma directly from Ranchi, and Amit Kumar (A-35) flew from Chennai to Ranchi on 02.05.2024 via Indigo flight, later reaching Koderma on 03.05.2024. Accused solver Raunak Raj (A-33) also flew from Mumbai to Ranchi and then reached Hazaribagh. Accused Solver Karan Jain (A-26) travelled from Patna to Koderma by train on ticket booked by Kumar Abhishek for coming to Hazaribagh on 04.05.2024.

(v) Investigation has further revealed that on 27.04.2024, accused solvers Chandan Singh (A-29), Kumar Shanu (A-27) and Rahul Anand (A-28), along with Kumar Abhishek and Tinku Kumar, stayed at Ramson Hotel in Koderma. They later moved to Hotel Tara Tower, where they stayed until 03.05.2024. On 03.05.2024, the group shifted to Hotel Sri Vinayak in Hazaribagh. All the hotel bookings were made by Sanjay Kumar (A-36) and Kumar Abhishek.

(vi) Investigation has further revealed that on 05.05.2024, accused solvers Chandan Singh (A-29), Rahul Anand (A-28), Surbhi Kumari (A-30), and Karan Jain (A-26) left Hotel Sri Vinayak around 05:30 a.m. in a black Creta car



and arrived at Raj Guest House. Kumar Shanu (A-27), Amit Kumar (A-35), and Raunak Raj (A-33) followed shortly after and also reached Raj Guest House. The investigation revealed that all members of this group, except Sanoj Kumar Yadav, who remained at the hotel, were present at Raj Guest House and participated in solving the stolen NEET question paper.

(vii) Investigation has further revealed that at Raj Guest House, several solvers were assigned specific subjects to solve. Kumar Shanu (A-27), along with Deependra Sharma (A-31) and Sandeep, were tasked with solving the biology paper. Surbhi Kumari (A-30) and Raunak Raj (A-33) were assigned the chemistry paper, while Chandan Singh (A-29), Rahul Anand (A-28), and Amit Kumar (A-35) were responsible for solving the physics paper. Karan Jain (A-26) was designated to handle all the difficult and time-consuming questions.

(viii) Investigation has further revealed that afterwards, the solvers i.e. Karan Jain (A-26), Chandan Singh (A-29), Rahul Anand (A-28), Kumar Shanu (A-27), Surbhi Kumari (A-30), Amit Kumar (A-35), left Raj Guest House and were dropped off at Hotel Sri Vinayak in a white Scorpio N vehicle. At the hotel Sri Vinayak, accused Sanjay Kumar (A-36) and Sanoj Kumar Yadav were waiting for them. Here these



solvers made extrajudicial confessions regarding the solving of the question paper before Sanoj Kumar Yadav.

(ix) Investigation has further revealed that on 05.05.2024, solvers Chandan Singh (A-29), Kumar Shanu (A-27), Rahul Anand (A-28), Amit Kumar (A-35), and Karan Jain (A-26) were dropped off at Hazaribagh Town Railway station by Kumar Abhishek and Tinku Kumar. From there, they boarded the Vande Bharat Express and reached Patna around 22:00 Hrs. The tickets for their journey were booked by Kumar Abhishek.

(x) Due to his involvement in the commission of crime, the petitioner/accused Rahul Anand was arrested on 18.07.2024. Subsequently on 05.10.2024, a chargesheet was filed against accused Rahul Anand @ Bittu (A-28) U/s. 120-B r/w 109, 201, 380, 409, 411. 420 IPC and Section 13 (2) r/w 13 (1) (a) of PC Act, 1988 (as amended in the year 2018) and under the substantive offence of sections 109 and 411 IPC. Further investigation is kept open against other conspirators U/s. 173(8) Cr.PC.

(xi) It is well settled that a First Information Report (FIR) is not an encyclopedia, which must disclose all facts and details relating to the offence reported. The involvement of



petitioner / accused Rahul Anand @Bittu was revealed during investigation and accordingly, he was arrested on the basis of evidence against him.

(xii) During the course of investigation, a hard disk of laptop and a mobile have been seized from the present residence of the petitioner / accused Rahul Anand at Patna and the same were forwarded to CFSL, New Delhi for cyber forensic analysis.

(xiii) It is further submitted that the earlier bail application of the petitioner/accused Rahul Anand was rejected by Hon'ble Court of Special Judge CBI-II, Patna by observing that the allegations are quite serious in nature. The nature of the crime and the involvement of these accused do not justify the grant of bail.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, 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, C.B.I-II., Patna in connection with CBI Case as RC No. 221/2024/E0006/ EO-III, C.B.I., New Delhi arising out of Shastri Nagar P.S. Case No. 358 of 2024 with the



conditions :-

(i) *One of the bailors shall be a close relative of the petitioner who shall give genealogy as to how he is related to the petitioner.*

(ii) *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 bond of the petitioner is liable to be cancelled.*

(iii) *The petitioner shall not intimidate and/or influence the witnesses by inducement, fraud or promise.*

(iv) *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.*

7. The application stands allowed.

(Chandra Prakash Singh, J)

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