

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86099 of 2024

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

Sanjay Kumar, aged about 43 years, M, S/o Raghuvir Shah, presently R/o-
Lagan Enclave Gulabi Ghat Road, Mahendru, Patna, P.S. - Sultanganj,
District – Patna, permanent R/o vill - Belhian, P.S. - Tariyani Chapra, Distt.-
Sheohar

... .. Petitioner

Versus

Union of India through C.B.I. Patna

... .. Opposite Party

Appearance :

For the Petitioner : M/S. Rajeev Kumar Singh, Shailendra Kumar
Singh, Rushali, and Prabhojit Singh, Advocates
For the C.B.I. : Mr. Avanish Singh, Advocate

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

7 07-05-2025 Heard learned 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 RC
Case No. 06E/2024, Spl. Case No. 14/2024, later on CBI
registered this FIR as 358/2024 as RC No. 22122024E0006-
CBI/EO-III/New Delhi 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 and 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 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. and his name has surfaced in the present case on the basis of the confessional statement of the co-accused which has got no evidentiary value in the eyes of law. He has no concern with the alleged offence. The allegation on the petitioner for arranging, solvers, candidates and their transportation with logistic support is totally false and baseless. No incriminating article has been recovered from his possession. It is further submitted that during complete investigation, the I.O. has failed to collect any material that the petitioner is involved in stealing the question papers of NEET, 2024 Examination. He was not arrested on the spot



rather some items were recovered from the possession of other co-accused person. There is no specific allegation against the petitioner. There is general and omnibus allegation has been made against the petitioner. It is further submitted that the other co-accused person, namely, Dhiren Kumar Panda, has already been granted bail by a Bench of this Court vide Cr. Misc. No. 79069 of 2024 under order dated 02.05.2025. No any question papers and the solved papers have been recovered from the possession of the petitioner and the co-accused persons and this case is triable by the Magistrate. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 21.08.2024.

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 counter affidavit dated 02.04.2025 and refers paragraph no. 12 of the said counter affidavit in which it has been mentioned that the petitioner is the person behind arranging various solvers for solving the NEET UG 2024 Question Papers in lieu of money in connivance with the other co-accused persons. He has not only arranged the solvers, but also arranged several beneficiary candidates for money. The investigation has also revealed that



he has also arranged transport and logistics for the solvers. Scrutiny of his Call Data Records has revealed his frequent contacts with other accused persons including solvers and beneficiary candidates and his presence in Hazaribagh, Jharkhand during the relevant period.

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 persons have 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 Spl. Case No. 14/2024, arising out of RC Case No. 06E/2024 with further 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 bonds of the petitioner are 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 with out 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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