

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89830 of 2024

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

Amit Kumar Singh, aged about 36 years, Gender-Male, Son of Shri Umeshwar Kumar Singh, Resident Of Bindu Bhawan, Bapu Nagar, Karmik Nagar, Near BCCL Colony, P.S- Sarai Dhela, Distt.- Dhanbad

... .. Petitioner

Versus

The Union Of India Through Superintendent of Police C.B.I Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Harsh Vardhan, Advocate
For the C.B.I. : Mr. Avanish Kumar Singh, Advocate, S.P.P., C.B.I.,
Mr. Mukul Kumar Singh and Mr. Tarush,
Advocates

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

9 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 Spl. (P.C. Act) Case No. 14/2024, (RC 221/2024)E 0006, EO-III, CBI, New Delhi (RC Case No. 06E of 2024) 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. His name has surfaced in the present case during the course of investigation on the basis of mere suspicion. It is further submitted that the house of the petitioner at Dhanbad was searched by the C.B.I. on 02.07.2024 but no incriminating article has been recovered from his house. It is further submitted that after the conclusion of the investigation, the C.B.I. submitted the charge sheet in the present case on 01.08.2024 against 13 accused persons for the offences punishable under Section 120B read with Sections 109, 201, 380, 409, 411 and 420 of the I.P.C. The name of the petitioner has come in the third supplementary charge sheet



submitted by the C.B.I. in which it has been stated that there is no material to show that the petitioner met Kumar Manglam Vishnoi, Deependra Sharma in Bharatpur in the month of February, 2024. The petitioner has no Flat for accommodation at Ranchi either in his own name or in the name of his family members. In this view of the matter, the allegation that Kumar Manglam and Deependra Sharma stayed at the flat of the petitioner at Ranchi is factually incorrect. The allegation in the third supplementary charge sheet is that Kumar Manglam Vishnoi has received an amount from the bank account in the name of Ratna Khan which was being operated by the petitioner is not correct and the same is without any basis. The prosecution did not produce any document regarding the stay of the petitioner and co-accused persons at the said Hotel or Guest House. No any question papers and the solved papers have been recovered from the possession of petitioner and the co-accused persons. No correct and proper address of the flat of the petitioner at Ranchi has been mentioned. It is further submitted that this case is triable by the Magistrate. It is submitted that the other co-accused person, namely, Dhiren Kumar Panda, has already been granted bail by a Bench of this Court in Cr. Misc. No. 79069 of 2024 vide order dated 02.05.2025. The petitioner



has one criminal antecedent in which he is on bail as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 12.08.2024.

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 a counter affidavit dated 03.04.2025 and he further refers paragraph nos. 12 and 17(i) to (xv) of the said counter affidavit. In paragraph no. 12 of the said counter affidavit, it has been mentioned that the petitioner (A-41), a resident of Dhanbad, (Jharkhand), has been acquainted with Raj Kumar Singh (A-21) since 2015-16. Both individuals were engaged in the business of consultancy or agency services, facilitating admissions for their clients into professional courses, and were constantly in contact with each other. Accused Pankaj Kumar @ Aditya @ Sahil (A-20), operating in the same domain, came into contact with the petitioner (A-41) during 2021-22. Furthermore, Jamaluddin @ Jamal (A-18), maintained a close association with the co-accused, Dr. Ahsanul Haque (A-16), who held the position of Principal at Oasis School, Hazaribagh, Jamaluddin @ Jamal (A-18) regularly covered events organized by Oasis School and published them in Prabhat Khabar, a local daily Newspaper.



Their relationship was one of consistent interaction, as evident from their regular telephonic communication. Between 03.06.2023 and 18.06.2024, there were 814 calls exchanged between Dr. Ahsanul Haque (A-16) and Jamaluddin @ Jamal (A-18), highlighting the close association between them. Additionally, Imtiyaz Alam (A-17), who served as the Vice President of Oasis School, Hazaribagh, was also acquainted with Jamaluddin @ Jamal (A-18). In paragraph no. 17 of the said counter affidavit, it has been mentioned that the contents of paragraph nos. 3 to 5, 7, 10, 15 to 20 of the petition are wrong and denied save and except insofar as the same are a matter of court record. The petitioner (A-41) is not entitled to any relief for bail. The present petition is not filed bonafide and in the interest of justice. The present petition itself is liable to be dismissed. The evidence has come on record against the petitioner (A-41) as under:- (i) The investigation has revealed that the petitioner (A-41) has been acquainted with Raj Kumar Singh (A-21) since 2015-16. (ii) The investigation has further revealed that the petitioner (A-41) and other accused persons Pankaj Kumar @ Aditya @ Sahil (A-20), Ahsanul Haque (A-16), Md. Imtiyaz Alam (A-17), Jamaluddin @ Jamal (A-18), Raj Kumar Singh @ Raju Singh (A-21) had hatched a criminal



conspiracy among themselves and others with an intention to commit the theft of the question paper of NEET UG 2024 Examination. (iii) The investigation has further revealed that the petitioner (A-41) had multiple meetings and conspired with other accused persons namely, Dr. Ahsanul Haque (A-16) (Principal of Oasis School), Md. Imtiyaz Alam (A-17) (Vice-Principal of Oasis School), Jamaluddin @ Jamal (A-18), Pankaj Kumar (A-2) Kumar, Raj Kumar Singh @ Raju Singh (A-21), Aman Kumar (A-19) for stealing the NEET (UG) 2024 Question papers. (iv) The Investigation has further revealed that Chandan Singh (A-29), arranged 6 solvers for Raj Guest House, Hazaribagh in conspiracy with the accused, Sanjay Kumar (A-36) who is associate of the petitioner (A-41). (v) The investigation has revealed that Kumar Manglam Vishnoi (A-32) arranged 5 solvers for Raj Guest House, Hazaribagh under conspiracy with the petitioner (A-41). Kumar Manglam Vishnoi (A-32) had met the petitioner (A-41) in Bharatpur on February, 2024 and had agreed for becoming a dummy candidate in lieu of money offered by Amit Kumar (A-35) for NEET (UG) 2024. Kumar Manglam Vishnoi (A-32) stayed in the Flat of the petitioner (A-41) at Ranchi. Kumar Manglam Vishnoi (A-32) returned from Hazaribagh to Dhanbad on 05.05.2024 in the car



with the petitioner (A-41) and Pankaj Kumar (A-20). In Dhanbad, Kumar Manglam Vishnoi (A-32) stayed at Flat of the petitioner (A-41). Kumar Manglam Vishnoi (A-32) has received Rs. 2.4 lakhs from the bank account in the name of Ratna Khan which was being operated by the petitioner (A-41). (vi) The Investigation has further revealed that Deependra Sharma (A-31) had met the petitioner (A-41) in Bharatpur in February, 2024 and had agreed for becoming a dummy candidate in lieu of money offered by Amit Kumar (A-35) for NEET (UG) 2024. Deependra Sharma (A-31) stayed in the flat of the petitioner (A-41) at Ranchi. Deependra Sharma (A-31) returned from Hazaribagh to Dhanbad on 05.05.2024 in the car with the petitioner (A-41) and Pankaj Kumar (A-20). In Dhanbad, Deependra Sharma (A-31) stayed at flat of the petitioner (A-41). (vii) The investigation has further revealed that Sandeep Kumar (A-34) had met the petitioner (A-41) in Bharatpur in February, 2024 and had agreed for becoming a dummy candidate in lieu of money offered by Amit Kumar (A-35) for NEET (UG) 2024. Sandeep Kumar (A-34) stayed in the flat of the petitioner (A-41) at Ranchi. Sandeep Kumar (A-34) returned from Hazaribagh to Dhanbad on 05.05.2024 in the car with the petitioner (A-41) and Pankaj Kumar (A-20). In Dhanbad, Sandeep Kumar (A-34)



stayed at Flat of the petitioner (A-41). (viii) The investigation has further revealed that Sanjay Kumar (A-36) under conspiracy with the petitioner (A-41) arranged 8 solvers for Raj Guest House. Out of these 7 went to Raj Guest House to solve the stolen question papers of NEET (UG) 2024 on early morning of 05.05.2024. (ix) The investigation has further revealed that Ranjit Kumar Beura (A-37) arranged 15 candidates for Hazaribagh (Raj Guest House and Sindur) under conspiracy with the petitioner (A-41), Amit Prasad Maharana (A-38) and Dhiren Kumar Panda (A-39), Ranjit Kumar Beura (A-37) has been in contact with the petitioner (A-41) since 2019. The petitioner (A-41) was involved in admission of students in Engineering Colleges in Bhubaneswar and other places. Ranjit Kumar Beura (A-37) and the petitioner (A-41) were arrested by Odisha Police in 2019 in a case involving malpractice in OUAT Exam. (x) The investigation has further established the offences of criminal conspiracy to steal the question paper of NEET UG 2024 examination and forwarding the same on 05.05.2024 from Oasis School, Hazaribagh to Raj Guest House, Hazaribagh for further distribution of the same to candidates assembled at Hazaribagh, Patna, Bhubaneshwar, Bokaro on the part of the petitioner (A-41) and others. (xi) Due to his involvement in the



commission of crime, he was arrested and after conducting detailed investigation the charge sheet has been filed against the petitioner (A-41) under Sections 120B read with Sections 109, 201, 380, 409, 411 and 420 of the I.P.C. and Section 13(2) read with Sections 13(1)(a) of the P.C. Act, 1988 (as amended in year 2018) and substantive offence under Section 109 of the I.P.C. Further investigation under Sections 173(8) Cr.P.C. is continuing against other conspirators. (xii) The Trial Court has taken cognizance of the offence on 03.01.2025. (xiii) It is well settled that an F.I.R. is not an encyclopedia, which must disclose all facts and details relating to the offence reported. The involvement of the petitioner (A-41) was revealed during investigation. (xiv) The nature of the crime and the involvement of the petitioner do not justify the grant of bail. (xv) The petition also clearly shows that he has other criminal cases pending against him, indicating a criminal background. It is further submitted that the prayer for bail of similarly situated co-accused Amit Prasad Mahrana has already been rejected by the Co-ordinate Bench of this Court in Cr. Misc. No. 80486 of 2024 vide order dated 27.03.2025.

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. (P.C. Act) Case No. 14/2024 (RC 221/2024)E 0006, EO-III, CBI, New Delhi (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 without permission of the court and shall hand over the passport, if any, to the C.B.I.

8. The application stands allowed.

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(Chandra Prakash Singh, J)

