

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5358 of 2026

Arising Out of PS. Case No.-28 Year-2025 Thana- ECONOMIC OFFENCES, BIHAR
District- Patna

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Rajkishore kumar @ Rajkishor kumar @ Rajkishore Son of Sitaram Sah @
sitaram Saw Resident Of Village- Bakhtari, Ps- Karpi, Dist- Arwal
... .. Petitioner

Versus

The State of Bihar through EOU Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s :	Mr.Hemant Kumar
For the Opposite Party/s :	Mr.V.M.P. Sinha, Advocate
	Mr. Vijay Anand, Advocate
For the State :	Mr. Jharkhandi Upadhaya, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

6 27-04-2026 Heard learned Counsel for the petitioner, the learned

Counsel for the E.O.U and the learned APP for the State.

2. The petitioner seeks bail in connection with
E.O.U P.S. Case No. 28 of 2025, registered for the offence
punishable under section 318(4), 338, 336(3), 61(2) read with
section 3(5) of the B.N.S and section 66 of the IT Act, 2000.

3. The prosecution case, in brief, is that on the
basis of information gathered during investigation of E.O.U P.S.
Case No. 16 of 2023, the Economic Offences Unit, Bihar,
unearthed the activities of an organised gang allegedly engaged in
illegally procuring and misusing confidential examination details of
the Central Selection Board of Constable Recruitment and
extorting money from candidates on the false promise of securing
their selection in the constable recruitment examination under
Advertisement No. 01 of 2025. It is alleged that petitioner



Rajkishore Kumar, had made a self-inculpatory statement, based on which about 80 admit cards of candidates were recovered from his possession, several of which bore booklet numbers and details of the first and last questions, along with a separate list containing roll numbers, booklet numbers, home districts, examination centres, dates of birth, reservation categories and media particulars of candidates. Further it is alleged that a candidate, namely, Amit Kumar had stated that, on the introduction of his friend one Antu Saxena, he came in contact with one Vishal Kumar, who had demanded Rs. 14,00,000/- for arranging his appointment and had even taken an advance of Rs. 2,50,000/-, he had further stated that in the earlier 2023 examination also he had been added to a WhatsApp group wherein he was supplied answers even before the examination, but after cancellation of that examination, refund was refused on the ground that the money had already been passed on to the present petitioner who was described as a '*senior*'. The aforesaid candidate Amit Kumar further alleged that for Advertisement No. 01 of 2025 also, Rs. 2,50,000/- was again paid in cash in Patna and his admit card details including the question particulars were obtained after the examination, and subsequently, only Rs. 65,000 was later returned through aforesaid Antu Saxena.

4. The learned Counsel for the petitioner at the



outset submits that the present petitioner is innocent and has falsely been implicated in the case based on his confessional statement in another case. It is emphasised by the learned counsel for the petitioner that the admit cards allegedly recovered from the possession of the petitioner are not those of the successful candidates and therefore the case of the prosecution falls on that score itself. The learned counsel has next submitted that there is no transaction between the candidate named in the FIR and the present petitioner. The petitioner is in custody since 04.11.2025 and has earlier been made accused in E.O.U P.S. Case No. 16 of 2023 registered under sections 318(4), 338, 336(3), 61(2) read with section 3(5) of the B.N.S and Arwal P.S. Case No. 504 of 2023.

5. Learned counsel for the E.O.U and the APP for the State have vehemently opposed the prayer for bail of the petitioner. The learned counsel for the E.O.U has submitted that the petitioner is one of the main accused of the gang headed by one Sanjeev Mukhiya, who is involved in leaking question papers and duping gullible and desperate candidates. It is also submitted by the learned counsel for the E.O.U. that several admit cards have been recovered from the possession of the petitioner and the WhatsApp chat of the petitioner with different candidates support the fact that the petitioner was involved in unauthorised disclosure of



confidential examination material and question paper leakage in the constable recruitment. The learned counsel for the E.O.U has next submitted that the petitioner was found using the SIM card in the name of his wife for the said purpose. It is the categorical submission of the learned counsel for the E.O.U that the role of the present petitioner is fortified by the fact that the money which has come in the bank accounts of co-accused Vishal and Antu, have stated that some part of that amount was also transferred to the present petitioner.

6. I have heard the submissions of the parties and perused the materials available on record including the case diary of the present case.

7. The petitioner is accused of being a member of an organised gang engaged in leakage of question papers and duping gullible candidates.

8. The Hon'ble Supreme Court in the case of *State of Rajasthan v. Indraj Singh, 2025 SCC OnLine SC 518*, while cancelling the bail granted by the High Court had observed that compromising the sanctity of a public recruitment examination undermines public faith. The observations of the Hon'ble Supreme Court in the aforesaid case are as under:-

10. *In India, the reality is that there are far more takers of Government jobs than there are jobs available.*



Be that as it may, each job which has a clearly delineated entry process - with prescribed examination and/or interview process, has only to be filled in accordance thereof. Absolute scrupulousness in the process being followed instills and further rejuvenates the faith of the public in the fact that those who are truly deserving of the positions, are the ones who have deservedly been installed to such positions. Each act, such as the one allegedly committed by the respondents represent possible chinks in the faith of the people in the public administration and the executive.

11. Since surely there must have been thousands of people who appeared for the exam, and the respondent-accused persons, for their own benefit, tried to compromise the sanctity of the exam, possibly affecting so many of those who would have put in earnest effort to appear in the exam in the hopes of securing a job, we concur with the view of the Trial Court that they are not entitled to the benefit of bail. At the same time, it is also true that every person has a presumption of innocence working in their favour till and such time the offence they are charged with, stands proved beyond reasonable doubt. Let them stand trial, and let it be established by the process of law, that the respondent - accused have indeed not committed any crime in law. (emphasis supplied)

9. Considering the self-inculpatory statement of the co-accused and the fact that a huge number of admit cards of candidates have been recovered from the possession of the



petitioner, together with the WhatsApp chats and the materials that have come to connect the petitioner with the unauthorised disclosure of confidential examination material and question paper leakage, I am not inclined to grant bail to the petitioner.

10. Accordingly, this application is dismissed.

11. It is however, made clear that, any observation made herein is *prima facie* in nature, limited solely for the purpose of the present bail application and shall have no bearing on the trial. This Court has not expressed any opinion on the merits of the case.

12. Pending Interlocutory Applications, if any, shall stand disposed of.

(Sandeep Kumar, J)

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