IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36764 of 2025

Arising Out of PS. Case No.-28 Year-2024 Thana- ECONOMIC OFFENCES, BIHAR District- Patna

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Aditya Kumar @ Anshu, son of Ramjee Prasad, resident of village- Mahanandpur P.S.- Nagar Nausa, District - Nalanda

... ... Petitioner

Versus

The State Of Bihar Through Economic Offence Unit, Patna, Bihar

... ... Opposite Party

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Appearance :

For the Petitioner	:	Mr. Ajay Kumar Thakur, Advocate
		Ms. Vaishnavi Singh, Advocate
		Mr. Ritwik Thakur, Advocate
For the State	:	Mr. Jharkhandi Upadhyay, APP
For the EOU	:	Mr. Rana Vikram Singh, Retained Counsel

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

3 06-08-2025 Heard Mr. Ajay Kumar Thakur, learned counsel for the petitioner, Mr. Jharkhandi Upadhyay, learned APP for the State and Mr. Rana Vikram Singh, learned counsel for the Economic Offences Unit.

2. The petitioner seeks bail in connection with Economic Offence P.S. Case No.28 of 2024 registered for the offence under sections 318(4), 338, 336(3), 340(2), 61(2) read with section 3(5) of the B.N.S., 2023, under sections 66, 66C and 66D of the Information Technology Act, 2000 and under sections 3 and 10 of the Bihar Public Examination Act, 2024.

3. As per the prosecution case, the informant namely, Kumar Veer Dhirendra, had submitted a written report

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to the officer-In-charge of the Economic Offence Police Station, Patna stating therein that pursuant to the advertisement of the Bihar State Health Society, for the recruitment of 4,500 Community Health Officers, a computer based test was scheduled for 01.12.2024 and 02.12.2024. On 30.11.2024, the Economic Offence Unit, received confidential information that some malpractice is being done in the examination and thereafter, a team was constituted under the leadership of the D.I.G., EOU, Bihar for verifying the said information. While collecting intelligence, it was found that a cheating racket infiltrated the examination system and the owner of the examination centre, Superintendents, IT Managers, IT support staffs, invigilators, and employees of ‘We Shine Tech’, the company which was conducting the examination, were actively involved in facilitating this fraud.

3.1. Thereafter, on 01.12.2024 the EOU team raided Ekam Evolutions Private Limited Examination Centre, Ashopur and it was found that a proxy server was installed, enabling unauthorized remote access to the examination computers. The centre owner and IT Manager namely, Amit Kumar and Adarsh Raj were present there. Realizing the situation, the officials of the E.O.U. secured the said place and

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proceeded to inspect other Examination Centres. Upon reaching at Wire Online Exam Centre, R.K. Puram, they found that even there the proxy server had been illegally connected to the network, enabling unauthorized remote access. Upon questioning, the Superintendent of the aforesaid Examination Centre namely, Ravi Bhushan failed to give any satisfactory reply regarding these irregularities. Thereafter, the team proceeded to ACME Institute of Information Technology, located on Ghordoud Road, Patna and after a technical inspection it was found that there was an unauthorized additional lease line and some articles were also recovered which indicated towards the fraudulent activities taking place there. When the suspected persons including the petitioner, who was deputed as an Examination Coordinator, did not disclose any detail regarding the scam, a search was conducted at all Examination Centres and the seized articles were sent for forensic examination.

3.2. Thereafter, another round of questioning was done at the centres and search was also conducted through videography and some articles were seized and four persons were apprehended. Thereafter, the team inspected and raided several Examination Centres and also found irregularities and

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seized the incriminating articles and detained the suspects. After an intense interrogation, the apprehended persons, confessed to their involvement in the said crime during the examination of the Community Health Officer and they further gave their *modus operandi* that they had installed an unauthorized lease line at the Examination Centres, allowing them to remotely access the systems using software such as ‘Ammyy Admin’. During the confession, the apprehended persons also disclosed that 12 Examination Centres across Patna were compromised in this manner.

3.3. On the basis of the aforesaid written report, the Police drew up a formal first information report and registered a case being Economic Offence Unit Patna P.S.Case No.28 of 2024 dated 02.12.2024.

4. Mr. Ajay Kumar Thakur, learned counsel for the petitioner has argued that the petitioner is the room partner of co-accused Ashish Ranjan, I.T. Manager at Wire Online Examination Centre and there is no material against him to connect him with the alleged examination scam. It has also been argued that the name of the petitioner has come in the confessional statement of co-accused and large number of co-accused have been granted bail.

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5. In this case, a counter affidavit has been filed by the E.O.U. Paragraph nos.11, 12, 13, 14, 15, and 16 of the aforesaid counter affidavit read as under:-

> *"11. That with respect to the contention made in para no. 12, it is humbly submitted that IT Support namely Ashish Ranjan was arrested for malpractice in the examination at WIRE ONLINE EXAM CENTRE, KALAVATI COMPLEX, R.K. PURAM, KHAGAUL ROAD, DANAPUR, PATNA examination centre. Ashish Ranjan told that his partner Aditya Kumar i.e. the petitioner is also involved in this case. Then the flats of the petitioner i.e. Aditya Kumar and Ashish Ranjan were searched, from where a lot of ATMs, mobiles, cheque books, Aadhar Cards and documents, as per the search-cum-seizure list, were recovered and seized.*
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> *12. That with respect to the contention made in para no. 13, it is humbly submitted that the petitioner namely Aditya Kumar and Ashish Ranjan were partners and both of them were fully involved in this exam scam.*
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> *13. That with respect to the contention made in para no. 14, it is humbly submitted that the petitioner had got the Ammyy Admin Application installed in the computers of Wire Online Exam Centre through Ashish Ranjan.*
>
> *14. That with respect to the contention made in para no. 15, it is humbly submitted that during the investigation, it was found that a*

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plan was made to commit fraud and misconduct in this case, in which many conversations were held between Ashish Ranjan and the petitioner i.e. Aditya Kumar.

15. *That with respect to the contention made in para no. 16, it is humbly submitted that as per the plan, the petitioner had taken a SIM card of Nepali no. 9701515878 to manipulate the exam and created a WhatsApp account of this number in the name of Kumud Teppe, so that the police could not trace him. They had made a plan to get the questions solved through solvers by installing a Proxy Server using additional leased lines at 12 online centres in this exam. Ashish Ranjan was also involved in this plan, in which petitioner and Ashish Ranjan used to talk over the phone.*

16. *That with respect to the contention made in para no.17, it is humbly submitted that according to the search-cum-seizure list, several debit/credit cards of more than 10 banks, Aadhar Cards and PAN Cards of students, passbooks and cheque books of 11 different accounts in HDFC Bank, more than 20 old and new smart phones of different companies and several other items were recovered from the room of the petitioner i.e. Aditya Kumar and Ashish Ranjan, which were being used for committing fraud and malpractices in the exam."*

6. From the aforesaid facts narrated in the

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counter affidavit filed by the E.O.U. together with the materials which have come in the case diary, it appears that the petitioner is involved in the examination scam. The petitioner is the room partner of co-accused Ashish Ranjan, I.T. Manager at Wire Online Examination Centre, R.K. Puram, Patna, who has stated that the petitioner is also involved in the examination scam. Thereafter, the flat of said Ashish Ranjan and present petitoiner was searched, from where A.T.M. cards, mobile phones, cheque books, Aadhar Cards and other documents were recovered. During investigation, it has come that the petitioner had got the Ammyy Admin Application installed in the computers of the examination centre through co-accused Ashish Ranjan.

7. Considering the aforesaid facts, I am not inclined to grant the petitioner privilege of regular bail. Accordingly, this bail application is rejected.

(Sandeep Kumar, J)

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