

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38195 of 2015

Arising Out of PS.Case No. -1 Year- 2012 Thana -C.B.I CASE District- MUZAFFARPUR

1. Umesh Sahu @ Umesh Kumar, son of Sri Ram Prakash Sahu, resident of Mohalla Brindavan Nagar, Ravi Steel Chowk, P.S. Ratu, District Ranchi (Jharkhand).

.... Petitioner/s

Versus

1. The State of Bihar, through C.B.I.

.... Opposite Party/s

with

Criminal Miscellaneous No.57115 of 2015

Arising Out of PS.Case No. -1 Year- 2012 Thana -C.B.I CASE District- MUZAFFARPUR

1. Vikas Kumar @ Raja S/o Shri Surendra Chaudhary R/o Mohalla: Deep Nagar, Balu Ghat, P.s Town, District Muzaffarpur.

.... Petitioner/s

Versus

1. The Central Bureau of Investigation

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.38195 of 2015)

For the Petitioner/s : Mr. Arbind Kumar

For the Opposite Party/s : Mr. Bipin Kumar Sinha, SC, CBI.

(In Cr.Misc. No.57115 of 2015)

For the Petitioner/s : Mr. Shashi Kant Amar

For the Opposite Party/s : Mr. Sanjay Kumar (SC/CBI)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

6 21-12-2015 Both the above stated petitions have arisen out of RC 01(E)/2012/TR. No. 21/14 registered for the offences punishable under Section, 120B read with Sections 420, 379 of the Indian Penal Code and Section 43(a) (i) read with Section 66 of Information Technology Act, 2000 and accordingly, both the

above stated petitions are being disposed of by this common order.

Heard learned counsels appearing for the petitioners as well as learned counsels appearing for the C.B.I.

Petitioners are not named but in course of investigation, the name of petitioners surfaced and it came to light that petitioners along with several other accused having formed a team made attempt to withdraw rupees twenty nine crore from a Bank account in which the amount had been deposited through RTGS process.

Petitioner in Cr. Misc. No. 57115 of 2015 played an important role by arranging laptops and providing other assistance to co-accused persons for committing the alleged crime and similarly, petitioner in Cr. Misc. No. 38195 of 2015 also played a vital role in the crime arranging the account of NAFCO for transfer of the fraudulent funds through RTGS. In course of investigation, petitioner in Cr. Misc. No. 38195 of 2015 made his statement under Section 164 of the Cr.P.C. on the condition to become an approver and narrated the sequence of events in which the alleged occurrence took place.

Although, his statement appears to be exculpatory statement but taking note of the aforesaid facts and circumstances as well as submissions of the parties, I am not inclined to release

the petitioners on bail, at least, at this stage and hence, their prayer for bail in connection with RC 01(E)/2012/TR. No. 21/14 pending in the court of learned Special Judicial Magistrate, C.B.I., Muzaffarpur stands rejected.

(Hemant Kumar Srivastava, J)

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