

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39865 of 2015

Arising Out of PS.Case No. -21 Year- 2013 Thana -C.B.I CASE District- PATNA

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1. Subodh Chandra Jha Son of late Kashi Nath Jha Resident of Village & P.O Dwashai, PS. Dandhakhora, District Katihar(Bihar)
2. Sushil Kumar Roy son of Sri Manik Chand Roy Resident of Village & P.O Vijaili, PS. Dandhakhora, District Katihar(Bihar)

.... Petitioner/s

Versus

The State of Bihar through S.P., C.B.I., Patna

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Durga Nand Jha and
Mr. Amar Nath Jha, Advocates.
For the Opposite Party/s : Mr. Bipin Kumar Sinha, SC CBI.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 21-09-2015 Heard both sides.

The petitioners, namely, Subodh Chandra Jha and Sushil Kumar Roy, seek bail in a case under Section 120(B) read with Sections 409, 467, 468, 471 of the Indian Penal Code and Section 13(2) read with 13(1)(c) & (d) of the P.C. Act.

The allegations against Roop Kumar Rajak and Binod Kumar Tiwary are that while they were posted as Sub Post Masters, they defalcated a sum of Rs. 91,17,200/- by forging the money orders and delivering the same to different fake persons although only money orders of Rs. 15,60,700/- were received in the aforesaid Post Office. The petitioners were Postal Peons during the relevant period and they are alleged to have brought the fake persons to receive the money orders. Meager amounts were

given to different fake persons and instead thereof the above named Sub Post Masters misappropriated huge amount to the tune of Rs. 1,41,97,700/-. It is submitted that Binod Kumar Tiwary, who was also Sub Post Master in a different Post Office during the relevant period, has already been enlarged on bail. The main accused is Roop Kumar Rajak, who spent considerable period at the relevant place during 2008-2013 and he is the kingpin of the crime. The prayer for bail of Roop Kumar Rajak has already been rejected.

Considering the facts aforesaid and the fact that the petitioners were the Postal Peons and they only brought persons to receive the money orders, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, C.B.I. II, Patna in Special Case No. 09/2013, arising out of R.C. Case No. 21A/2013.

(Prabhat Kumar Jha, J)

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